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July 1988 - Dec 1988

URBAN/MUNICIPAL

AGENDAS OF THE  
MEETINGS OF THE  
COUNCIL OF HAMILTON







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CITY HALL  
HAMILTON, ONTARIO  
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# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

## MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1988 July 26  
7:30 o'clock p.m.  
Council Chambers, City Hall

JT:mjw

### A G E N D A

1. Opening Prayer

Monsignor Harvey Roach  
St. Francis Xavier Church

2. Presentations

- (a) To the City of Hamilton of a model of the schooner HAMILTON by Mr. Jim Straiton
- (b) To the East Hamilton Crown Life Soccer Team
- (c) Special Citation to Mr. A. Stokan

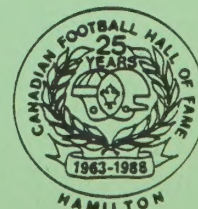
3. Minutes of the meeting held

1988 June 28

4. Correspondence

5. Reports of the Standing Committees - attached

- (a) Executive Committee
- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (e) Legislation Committee
- (f) Personnel Committee
- (g) Finance Committee









6. Notice of Motion for Next Meeting
7. First reading of the Bills
8. Second reading of the Bills - Committee of the Whole
9. Third reading of the Bills
10. Question Period
11. Adjournment







## MINUTES





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, JUNE 28, 1988  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,  
Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher,  
Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend George Horton, King Street Baptist Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow made the following presentations:

- 1) Mr. J. Stradwick with respect to the staging of the very successful Scattolon International Cycling Race on Sunday, May 29, 1988.
- 2) Mr. Alex Park, Programme Manager, Cable 14, in recognition of winning a prestigious video award for Cable T.V. Stations.
- 3) Mr. Gord Cumming in recognition of being named "Taxicab Driver of the Year" and "Taxicab of the Year".

The minutes of the meeting of May 31, 1988, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Objections to the rezoning of property owned by Mr. Marvin J. Wasserman, re "Kernighan Proposed Plan", dated June 22, 1988.
2. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law Number 88-127, dated June 16, 1988. NO ACTION TAKEN.
3. Application from Janet and Jack Tarbutt, 1446 Upper Ottawa Street, Hamilton, Ontario, for a change in zoning, property located at 1446 Upper Ottawa Street, dated May 31, 1988.
4. Application from Luigi and Maria DelSordo, 31 Lawfield Drive, Hamilton, Ontario, for a change in zoning, property located at 205 Nebo Road, dated May 31, 1988.
5. Application from Castleview Holdings Inc., c/o Rick Holmes, 505 York Street, Hamilton, Ontario, for a change in zoning, property located at 577 York Street, dated June 3, 1988.
6. Application from Westmount Homes, 662 Fennell Ave. East, Hamilton, Ontario, for a change in zoning, property located at the rear of 1258 Upper Wentworth Street, dated June 6, 1988.



7. Application from Hamilton General Homes (1971) Ltd., 590 Seaman Street, Stoney Creek, Ontario, for a change in zoning, property located on the north side of Stonechurch Road between Upper Sherman Avenue and Upper Wentworth Street, dated June 8, 1988.
8. Application from Clement Chan, John Chan, Pauline Kan, 1053 Main Street West, Hamilton, Ontario, for a modification to the "HH" District for property located at 1053 Main St. West, dated June 10, 1988.
9. Application from 683595 Ontario Inc. (Nesci Developments), 19 Stella Court, Hamilton, Ontario, for a change in zoning, property located at 694 Pritchard Road and 1565 Rymal Road East, dated June 17, 1988.
10. Application from Leucio and Concetta Zoccolillo, 48 Algonquin Court, Hamilton, Ontario, for a change in zoning, property located at 990 West Fifth Street, dated June 17, 1988.
11. Application from Jose Inacio Santinhos and Ana Da Costa Santinhos, 158 Dundurn Street North, Hamilton, Ontario, for a change in zoning, property located at 158 Dundurn St. North, dated June 21, 1988.
12. Application from John Paisley In Trust, 2349 Fairview Street, Burlington, Ontario, for a change in zoning, property located at 1405, 1411, 1417 Upper James Street, dated June 23, 1988.
13. Petition signed by Buchanan Park neighbours re definition of "Day Nursery" in Zoning By-law No. 6593.
14. Status report from Hamilton-Wentworth Third Sector Employment Enterprises, 77 Niagara Street, Hamilton, Ontario, on the blue box recycling programme, dated June 24, 1988. NOTED.

\* \* \* \* \*

It was moved by Alderman Christopherson and seconded by Alderman Copps.

RESOLVED: that Section 8 of the Rules of Order be invoked in order to permit Council to consider a motion to congratulate the Minister of Education and the local School Boards for their efforts in resolving the dispute over the re-distribution of school facilities. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: 0. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Cooke.

RESOLVED: that Council extend its heartfelt appreciation for the resolution of the school transfer issues announced recently by the Minister of Education and the Chairmen of the Hamilton Public and Hamilton-Wentworth Roman Catholic Separate Boards of Education to The Honourable Chris Ward, Minister of Education, Province of Ontario, Mrs. Ruth Van Horne, Chairman of the Hamilton Board of Education, and Father Kyran Kennedy, Hamilton-Wentworth Roman Catholic Separate School Board and, through them, to all of their respective colleagues. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: 0. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Copps in the chair.

\* \* \* \* \*

(A) EXECUTIVE COMMITTEE - FOURTEENTH REPORT.

Recorded vote on Section 15.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 11.

NAYS: Aldermen Kiss, Hinkley, Copps, Christopherson, Wheeler. - 5. CARRIED.

\* \* \* \* \*

Recorded vote on Section 16.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Christopherson, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Aldermen Hinkley, Copps, Gallagher. - 3. CARRIED.

\* \* \* \* \*



(B) TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT.

The recommendation of the Executive Committee on Section 13 was carried.

\* \* \* \* \*

Alderman Agostino declared personal interest in, took no part in the debate, and refrained from voting on Section 15 as he does business with the applicant.

\* \* \* \* \*

Recorded vote on Section 17.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

Recorded vote on Section 18.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Rose. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

Recorded vote on Section 44.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Murry and seconded by Alderman Ross.

RESOLVED: that Section 61 be amended by deleting everything after the word "investigate" in the second line, reading as follows:

"the feasibility of re-opening Gosford Drive to Gilchrest in the Gurnett Neighbourhood.",

and substituting the following in lieu thereof:

"... and report back to the Transport and Environment Committee with a recommendation which would accommodate the re-opening of Gosford Drive to Gilchrest in the Gurnett Neighbourhood." - CARRIED.

\* \* \* \* \*

Alderman Agro declared personal interest in, took no part in the debate, and refrained from voting on Section 63 as he does business with the Company referred to therein.

\* \* \* \* \*

Recorded vote on Section 63.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Valeriano. - 1. CARRIED.

Alderman Agro took no part in this vote as per above notation.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution and By-law respecting parking regulations in the vicinity of Park Street North between Vine and Cannon Streets. - CARRIED.

\* \* \* \* \*



It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that the following be added to Section 64 as Subsection (k):

"(k) Bill 57 By-law to Amend By-law 66-100 to Regulate Traffic." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 65:

- "65. a) That a 'Permit Parking' regulation be implemented on the east side of Park Street North between Vine Street and a point 170 feet south of Cannon Street; and
- b) That parking be prohibited on the east side of Park Street North between Cannon Street and a point 170 feet southerly therefrom; and
- c) That parking be prohibited on the west side of Park Street North between Vine and Cannon Streets; and
- d) That the City Traffic By-law 66-100 be amended accordingly; and
- e) That the Director of Traffic Services be authorized to issue one parking permit, upon request, on a first come, first served basis to the first three applicants residing in one, two or three family dwellings abutting the block." - CARRIED.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Murray, Ross. - 13.

NAYS: Alderman Gallagher. - 1. CARRIED.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - FIFTEENTH REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro,  
McCulloch, Valeriano, Hinkley, Copps,  
Christopherson, Wheeler, Smith, Gallagher. - 12.

NAYS: Aldermen Merling, Murray, Ross. - 3. CARRIED.

\* \* \* \* \*

Recorded vote on Section 3.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro,  
McCulloch, Valeriano, Hinkley, Copps,  
Christopherson, Wheeler, Smith. - 11.

NAYS: Aldermen Gallagher, Merling, Murray,  
Ross. - 4. CARRIED.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by  
Alderman Agro.

RESOLVED: that Section 5 be referred back. -

YEAS: Aldermen Agro, Gallagher. - 2.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch,  
Valeriano, Hinkley, Copps, Christopherson,  
Wheeler, Smith, Cowell, Merling, Murray,  
Ross. - 14. LOST.

\* \* \* \* \*

Recorded vote on Subsection (c) of Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch,  
Valeriano, Hinkley, Copps, Christopherson,  
Wheeler, Smith, Cowell, Gallagher, Merling,  
Murray. - 14.

NAYS: Aldermen Agro, Ross. - 2. CARRIED.

\* \* \* \* \*



It was moved by Alderman Ross and seconded by Alderman Cowell.

RESOLVED: That Sub-clause (ii) of Subsection (d) of Section 5 be amended by adding, after the words "Day Nursery", in the fourth line, the following:

"... and/or a residential care facility ..." -

YEAS: Aldermen Kiss, Copps, Cowell, Gallagher, Merling, Ross. - 6.

NAYS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Murray. - 10. LOST.

\* \* \* \* \*

Recorded vote on Subsection (d) of Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Murray. - 12.

NAYS: Aldermen Agro, Gallagher, Merling, Ross. - 4. CARRIED.

\* \* \* \* \*

Recorded vote on Subsection (e) of Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Murray, Ross. - 14.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

\* \* \* \* \*

Recorded vote on Subsection (g) of Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 15.

NAYS: Alderman Merling. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman Merling.

RESOLVED: that Sub-clause (ii) of Subsection (a) of Section 8 be amended by deleting everything after the word "Agreement" in the fourth line, reading as follows:

"that the City may obtain, at the Subdivider's expense, the required Certificate and recover the cost thereof out of the security held by the City pursuant to the Subdivision Agreement, and;",

and substituting the following in lieu thereof:

"... that the City may do the work necessary to obtain the certificate and recover the cost thereof out of the security held by the City pursuant to the Subdivision Agreement, and". - CARRIED.

\* \* \* \* \*

Recorded vote on Section 32.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Copps, Christopherson, Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Alderman Wheeler. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Cooke.

RESOLVED: that the NOTE in Section 34 be amended by adding the following sentence after the first paragraph:

"The City Solicitor will advise the Planning and Development Committee immediately once a Court decision has been made in either of these cases in order that this matter can be lifted from the table." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Smith and seconded by Alderman Ross.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a Bill respecting the Appointment of Building Inspectors. - CARRIED.

\* \* \* \* \*



It was moved by Alderman Smith and seconded by Alderman Ross.

RESOLVED: that the following be added to Section 35 as Subsection (1):

"(1) Bill D-80 A By-law to Amend By-law No. 87-312 Respecting Appointment of Inspectors." - CARRIED.

\* \* \* \* \*

(E) LEGISLATION COMMITTEE - EIGHTH REPORT.

It was moved by Alderman Hinkley and seconded by Alderman Valeriano.

RESOLVED: that Section 9 be tabled. - CARRIED.

\* \* \* \* \*

(F) PERSONNEL COMMITTEE - EIGHTH REPORT.

It was moved by Alderman Ross and seconded by Alderman Hinkley.

RESOLVED: that Section 11 be amended by substituting the letter "F" in place of the letter "E" in the second line, and by deleting the words "(3rd step), retroactive to 1988 January 1", and substituting in lieu thereof the words "retroactive to 1987 January 1." -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Cowell, Ross. - 6.

NAYS: Aldermen Kiss, Copps, Christopherson, Wheeler, Smith. - 5. CARRIED.

\* \* \* \* \*

Recorded vote on Section 11, as amended.

YEAS: Mayor Morrow; Aldermen Cooke, Agro. Hinkley, Cowell, Ross. - 6.

NAYS: Aldermen Kiss, Copps, Christopherson, Wheeler, Smith. - 5. CARRIED.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by  
Alderman Agro.

RESOLVED: that Section 13 be referred back. - CARRIED.

\* \* \* \* \*

(G) FINANCE COMMITTEE - ELEVENTH REPORT.

It was moved by Alderman Christopherson and seconded  
by Alderman Merling.

RESOLVED: that Section 9 be amended by deleting the  
word "not" immediately before the words  
"be approved" in the third line. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro,  
McCulloch, Copps, Christopherson, Wheeler,  
Smith, Merling, Murray, Ross. - 12.

NAYS: Aldermen Valeriano, Cowell. - 2. CARRIED.

\* \* \* \* \*

(H) INFORMATION SYSTEMS COMMITTEE - (June 15, 1988).

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman D. Christopherson be appointed Acting  
Mayor for the month of July, 1988. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole on the  
above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Copps,  
Christopherson, Wheeler, Smith, Cowell, Ross. - 11.

NAYS: 0. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-16, A-17,  
B-47, B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55,  
B-56, B-57,  
D-39, D-69, D-71, D-72, D-73, D-74, D-75, D-76, D-77,  
D-78, D-79, D-80,



E-8, E-9 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Copps in the chair.

A-16, A-17,  
B-47, B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55,  
B-56, B-57,  
D-39, D-69, D-71, D-72, D-73, D-74, D-75, D-76, D-77,  
D-78, \*D-79, D-80,  
\*\*E-8, E-9.

\* \* \* \* \*

Consideration of the Bills (second reading).

\*Recorded vote on Bill D-79.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano,  
Hinkley, Copps, Christopherson, Wheeler, Smith,  
Gallagher, Ross. - 12.

NAYS: Alderman Cowell. - 1. CARRIED.

\*\*Recorded vote on Bill E-8.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano,  
Hinkley, Christopherson, Wheeler, Smith, Gallagher,  
Ross. - 11.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Copps,  
Christopherson, Wheeler, Smith, Cowell, Ross. - 11.

NAYS: 0. - CARRIED.

\* \* \* \* \*

City Council adjourned at 12.55 o'clock, a.m.

\* \* \* \* \*







## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

### Members of Council:

The Executive Committee presents its FIFTEENTH Report for 1988 and respectfully recommends:

1. That the request by the Parks and Recreation Committee for a "Capital Funding Perspective" for the Aquatic Centre Project be referred to the Director of Culture and Recreation and a Committee of the Aquatic Centre Task Force to carry out further studies and investigations relative to the need for such a facility; the location of such a facility; and the overall capital and operating costs, for presentation to the Executive Committee during the processing of the 1989-1993 Capital Budget later in the year, in order to consider this project and its ramifications along with all other capital projects of the City.

NOTE: Since the Aquatic Centre is not in the 1988-1992 Capital Budget, as approved by City Council, the recommendation is to submit it through the 1989-1993 budget process as a first step to allow City Council to judge the merits of the project on a global basis with other capital projects to be considered.

For the information of the members of City Council, the Committee wishes to advise that the Director of Culture and Recreation has forwarded a copy of the Consultants Feasibility Study to the Ministry of Tourism and Recreation for their review and response.

Copies of the Feasibility Study dated April 1988 as prepared by Moffat Kinoshita Associates Inc. along with the "Supplementary Report of the Citizen's Panel" dated May 1988 were previously forwarded to the members of City Council. Additional copies, if required, are available from the Secretary, Executive Committee.

2. (a) That the following Terms of Reference for the Keep Hamilton Clean Citizen's Committee be approved.

In addition to any other duties prescribed by City Council, the duties and responsibility of the Keep Hamilton Clean Citizen's Committee shall be as follows:

- (i) To report and/or recommend to the appropriate Standing Committee(s) of City Council on matters with respect to littering, dumping, defacing property by means of illegal postings, grafitti etc. and generally on keeping Hamilton clean.
- (ii) To report to the Executive Committee on all other matters.
- (iii) The Committee shall be composed of nine citizens appointed by Council on the recommendation of the Executive Committee.



- (iv) The terms of the Committee members shall be staggered such that three citizens are appointed annually.
  - (v) The Committee shall be a policy formulating and deliberating body with authority only to recommend; with the exceptions of specific areas or programs delegated to the Committee or approved by City Council.
  - (iv) The Committee shall elect from within its membership a Chairperson and Vice Chairperson; neither of whom shall serve in this capacity for longer than three consecutive years.
- (b) That the Keep Hamilton Clean Citizen's Committee be the central Committee responsible for organizing and co-ordinating the "Keep Hamilton Clean Day" activities during the first week in May of each year.
3. (a) That the Space Requirements Study for the Concession Street Library at an estimated cost of \$5 600 be financed from the Reserve for Library Capital Projects.
- (b) That the Hamilton Public Library Board be authorized to acquire and hold title to 36 Cliff Avenue at a purchase price of \$95 000 to be funded by the Library Board's Special Gifts Fund.

NOTE: The 1989 portion of the 1988-1992 Capital Budget includes an amount of \$62 000 for renovations to the Concession Street Branch. The opportunity for the Library Board to acquire the property at 36 Cliff Avenue, which is beside the Concession Street Library recently occurred and the Library Board is of the opinion that it should be acquired at this time.

4. (a) That the construction of a finished roadway, curbs and sidewalks on Greenhill Avenue between National Drive and Summercrest Drive be proceeded with at an estimated gross cost of \$860 000 as provided for in the 1988 portion of the 1988-1992 Capital Budget as Project No. 38002.
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of this project at an estimated gross cost of \$860 000, with estimated eligible subsidies of \$220 000, by the issuance of debentures for a period not to exceed 15 years, recoverable from the mill rate levied on all rateable property, and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$640 000 for a term not to exceed 15 years.
- (c) That the Commissioner of Engineering be authorized and directed to construct these works on behalf of the City of Hamilton, once all the necessary approvals have been received.

NOTE: This Capital Project was approved by the Transport and Environment Committee at its meeting on July 18, 1988. Development is proceeding in this neighbourhood, and it would be prudent to construct this roadway and sidewalks to provide access to and from King Street from this area. A portion of the cost equivalent to the cost of an 8.5m wide roadway, curbs and sidewalks will be recovered through the Subdivision Agreements covering the abutting lands.

5. That the 1988 Appropriation in the 1988-1992 Capital Budget for the "City's share of services in subdivisions" be increased by \$1.5 million from \$1 million to \$2.5 million with the increase being funded from the "Reserve for City's Share of Services in Unsubdivided Lands", Account No. 0280-12.

NOTE: Based on the rate of development which the City has experienced in 1988 and the number of subdivision proposals received, the Department of Engineering analysed the funds available in the Reserve and have determined that a possible \$1.5 million more than the \$1 million budgeted will be necessary.

For the information of the Members of City Council a substantial portion of these funds will be recovered from the eventual sale of "one foot reserves".

6. (a) That the appropriation for the Capital Project - Installation of Standby Pumps for the Ice Making Plant at Copps Coliseum be increased from \$30 000 to \$59 334.
- (b) That the additional estimated cost of \$29,334 required for financing this installation be financed by \$19 539 from the General Construction Account of Copps Coliseum, Account No. 0408-U3253, and \$9 795 from unused funds remaining in the work-in-progress Account No. 0408-U32771 "Standby Pumps Ice Making System".

NOTE: On the recommendation of the HECFI Board and the Executive Committee, City Council at its meeting on April 12, 1988 approved this project at a cost of \$30 000.

The HECFI Board at its meeting on July 15, 1988 approved the additional appropriation and requested the Executive Committee to approve same and recommend the source of funding.

With the completion of this project, Standby/Emergency Pumps will be readily available at Copps Coliseum in the event of temporary power failure.



7. That any surplus from the operation of the Central Utilities Plant (CUP) be credited to a separate reserve account in the name of the CUP to finance capital expenditures provided that the overall annual surplus of the City is sufficient to finance the carry forward surplus (a revenue requirement of the following year). Conversely, any shortfall in the CUP budget at the year-end be financed from the CUP reserve to the extent funds are available.
8. (a) That an Offer to Purchase the property at 18 Main Street East (south-west corner of Main Street East and Hughson Street South) from DeSantis Group Inc. for the sum of \$1 675 000, and executed by Anthony DeSantis, President, on July 6, 1988, be approved and completed. The closing date is December 14, 1988.

NOTE: The property to be sold is composed of all Lot 38 and part of Lot 37, George Hamilton Survey, R.P. 1431, having a frontage along the southern limit of Main Street East of 159.78 feet and along the western limit of Hughson Street South of 137.25 feet and contains 21 656.94 square feet. The property is more particularly described as being Part 2, Plan 62R-9621.

A deposit of \$10 000 in the form of a certified cheque is being held in the Property Department pending approval of this transaction and will be transmitted to the City Treasurer upon acceptance.

- (b) The Offer to Purchase calls for the Purchaser to develop the site in accordance with Schedule "A" attached which can be summarized as follows:
- (i) mixed use development containing 265 000 square feet
  - (ii) 1st floor - 9 000 square feet of commercial space with a pedestrian arcade over the sidewalk
  - (iii) 5 levels of parking above - 275 spaces
  - (iv) 1 floor of office space on 6th level
  - (v) 6 floors of courtyard condominium luxury apartment and penthouse units, 64-72 in number
  - (vi) 2 floors of underground private parking below grade - 110 spaces for use by apartment and office tenants

The Purchaser covenants and agrees to commence construction on August 30, 1989 and complete the said construction not later than June 30, 1991.

The Purchaser covenants and agrees not to alter the development including maintaining the total parking complement until June 30, 2011 (20 years).

- (c) That the Purchaser be granted permission to enter upon the subject lands prior to the date of closing from time to time as required, upon giving reasonable notice for the purpose of conducting soil tests.
- (d) That the City consent to the Purchaser making an application for Certification of Title or for Land Titles prior to the date of closing.
- (e) That the City authorize the Purchaser to apply, prior to the date of closing, for change(s) to the zoning, should in fact a change(s) prove necessary.

NOTE: It is already a term of the Purchase Agreement that the City may in its discretion approve, amend or decline change(s) to the zoning requested.

PREVIOUSLY FORWARDED TO THE MEMBERS OF CITY COUNCIL WERE COPIES OF A REPORT DATED JULY 7, 1988, FROM THE DIRECTOR OF PROPERTY TO THE EXECUTIVE COMMITTEE, WHICH PROVIDED DETAILED INFORMATION WITH REGARD TO THE FOUR (4) PROPOSALS RECEIVED FOR THIS PARCEL OF LAND.

ADDITIONAL COPIES IF REQUIRED CAN BE OBTAINED FROM THE SECRETARY, EXECUTIVE COMMITTEE OR THE DIRECTOR OF PROPERTY.

9. The Executive Committee wishes to advise that Bill Pr 67, an Act respecting the compositions of the Board of Directors of The Hamilton Entertainment and Convention Facilities Inc., receive Royal Assent on May 24, 1988. As a consequence, the City is now in a position to appoint three (3) additional council members to the HECFI Board.

In addition, the Committee wishes to advise of the resignation of Mr. T. Yates from the HECFI Board of Directors effective August 1, 1988.

In view of the limited time remaining in the terms of office, the Executive Committee intends to defer the appointment of new members until December 1988.

For the information of the members of City Council, the Chairman of the HECFI Board has indicated that the Board can continue to function effectively for the remainder of this term on this basis.



10. That a grant of \$15 000 to the Organizing Committee of the Sixth World Conference on Co-operative Education be approved in principle and that the Council for 1989-1991 be requested to include the necessary appropriation in the 1989 Expenditure estimates for the City of Hamilton.

NOTE: This grant is recommended on the understanding that the Regional Municipality of Hamilton-Wentworth will approve a similar grant.

The World Conference on Co-operative Education in the past has been held in London, England, Boston, Melbourne, Edinburgh and Amsterdam.

The organizers anticipate the attendance of approximately 1 000 delegates from 35 or more Countries.

11. That leave be granted to introduce the following Bill:

(a) Bill A-18: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
EXECUTIVE COMMITTEE

J. J. Schatz  
Secretary  
1988 July 21  
/bc

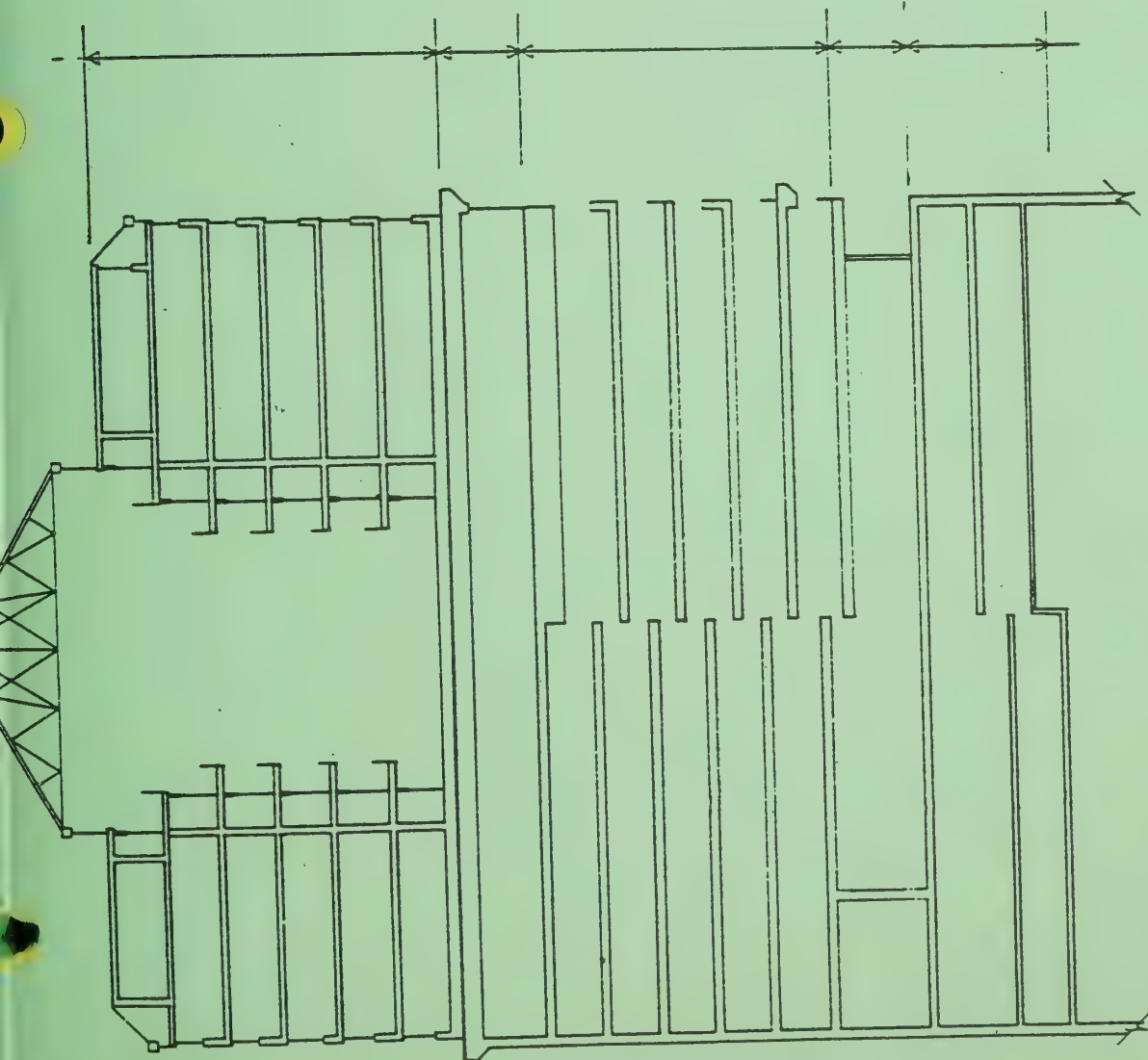


PROPOSED BUILDING MAIN & HUGHSON

# DeSANTIS COURTYARD







## 6 FLOOR COURTYARD CONDOMINIUM

64-72 luxury apartments and penthouse units

## 1 FLOOR OFFICE

16000 square feet for use by legal profession

## 5 FLOORS PUBLIC PARKING

275 parking spaces including 100 for hourly and daily use architecturally designed to compliment existing 8 neighbouring buildings

## 1 FLOOR COMMERCIAL WITH PEDESTRIAN ARCADE

9000 square feet - restaurant, hair stylist, valet services, newspaper store, dry cleaners

## 2 FLOORS UNDERGROUND PRIVATE PARKING

110 parking spaces for use by legal offices and condominiums

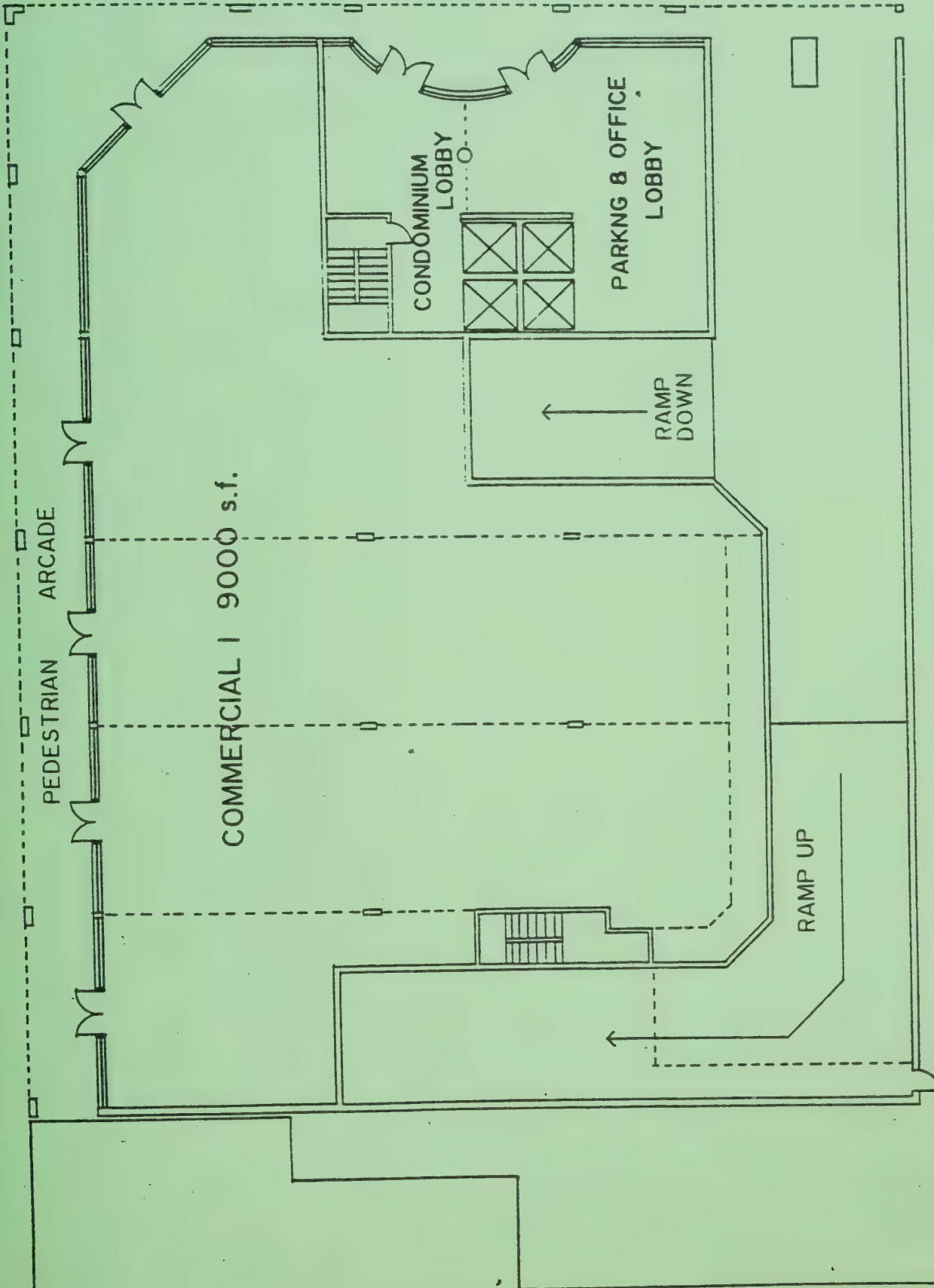
Schedule "A" as referred to in Section 8 of the FIFTEENTH Report of the Executive Committee for 1988.

# DeSANTIS COURTYAR



HUGHSON STREET SOUTH

PART  
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**D. SANTIS**  
DEVELOPMENTS LTD.











REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its ELEVENTH Report for 1988 and respectfully recommends:

1. That the Region and the Chamber of Commerce be requested to join with the City of Hamilton in preparing a submission to representatives of VIA Rail and the Federal Government, relative to the need for increased levels of passenger rail service between Toronto and Niagara Falls and improved passenger rail connections from Toronto to Ottawa/Montreal.

NOTE: Via Rail is committed to presenting, by mid 1989, a global twenty-year plan for the development of passenger rail service in Canada. The Transport and Environment Committee feels that it is critical at this time, to bring to the attention of VIA Rail and the Federal Government the need for improved passenger rail service to and from Hamilton-Wentworth Region.

2. That a purchase order be issued to Rantex Brushes Inc., Barrie in the amount of \$16 291.89 for the supply and delivery of Street Sweeper Broom Stock for the Central Division of the Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Lowest of two (2) tenders received. Funds provided in Replacement Materials and Parts Account No. 0348-0267.

3. That the City Solicitor be directed to amend By-law 87-144, Appointing Municipal Weed Inspectors under The Weed Control Act, by consolidating all previous appointments and appointing the following 6 new inspectors:

- (a) P. Booker
- (b) D. Cowan
- (c) P. Christie
- (d) C. Firth - Eagland
- (e) D. Pomfret
- (f) J. Pook

4.
  - (a) That a new position titled "Manager of Central Garage" be approved, then rated to determine the appropriate salary level, and posted internally and advertised outside simultaneously, so that the position can be filled immediately, and
  - (b) That an existing Foreman II's position be reclassified to that of a General Foreman's position, and
  - (c) That the City Treasurer be requested to review the feasibility of incorporating the City's Car Fleet into the Central Garage operations, and
  - (d) That the Fleet Superintendent's position be reclassified as an Equipment Supervisor's position.
5. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between the Corporation of the City of Hamilton and DiCenzo Construction Company Limited for the collection of garbage at 680 Rymal Road East.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

6. That an Option to Purchase part of the property known as 1274 Upper Wentworth Street executed by Robert S. Shelley, Sandra G. Taylor and Stephen Wm. Shelley, carrying on business as Westmount Homes on July 4, 1988 and scheduled for closing on or before September 19, 1988 be approved and completed.

NOTE: The subject property which is required by the City for roadway purposes is composed as part of Lot 11, Concession 7, formerly in the Township of Barton, now in the City of Hamilton. The subject property contains 443 square metres (4,768.57 square feet) and is shown as Part 2 on attached copy of Plan 62R-5631. The purchase price of \$2 is to be charged to Account No. 0280-02. Consideration in the amount of \$1 has been paid to the owner and pursuant to the agreement forms part of the purchase price.

7. That an Offer to Purchase 324 Magnolia Drive executed by Jack M. Wright and Christine A. Moloci on June 24, 1988 be approved and completed.

**NOTE:** The property to be sold is composed of Lot 61, Plan M-188 and the western half of Block B, Plan M-178, having frontage along the southerly limits of Magnolia Drive of 12.192 metres (40 feet) by a depth of 45.72 metres (150 feet) containing an area of .054 hectares (.135 acres) and subject to a berm easement in favour of The Regional Municipality of Hamilton-Wentworth across the full width of the southerly 15.24 metres (50 feet), together with all structures erected thereon and known as Municipal No. 324 Magnolia Drive, along with Schedules "A" and "B" which form a part of the Offer to Purchase for the sale price of \$112 100 which is to be credited to Account No. 0408-X95056.

A certified deposit cheque in the amount of \$5 000 is being held by the City Treasurer pending approval of this transaction.

8. That the Option to Purchase the property known as part of 973 Queenston Road, duly executed on June 23, 1988 by the Vendor, The Hamilton Street Railway Company and The Regional Municipality of Hamilton-Wentworth and scheduled for closing on August 18, 1988, be approved and completed.

**NOTE:** The property is more particularly described as Parts 2, 9, 10 and 11 on Plan 62R-8380. The purchase price of \$1 is to be charged to Account No. 0404-26156.

9. That an Option to Purchase part of 1385 Upper Wentworth Street from the Hamilton-Wentworth Roman Catholic Separate School Board executed on June 28, 1988 and scheduled for closing on or before September 20, 1988 be approved and completed.

**NOTE:** The subject parcel of land is composed of part of Lot 10, Concession 8, shown as Part 1 on Survey Plan S-6930 prepared by MacKay, MacKay and Peters Limited, having an area of 2,028.85 square metres (21,839 square feet) forming a part of 1385 Upper Wentworth Street for the purchase price of \$32 588, which is to be charged to Account No. 0280-02.

- 10 (a) That in accordance with By-law 66-100, Dofasco Inc. be given an annual overload permit for the year 1988 for one single-unit truck for a total fee of \$1 717.82.
- (b) That this fee of \$1 717.82 be credited to City Account No. 0310-0121.



11. (a) That the local branch of the Ministry of the Environment be informed that the City of Hamilton has no objections to the amendments requested for the Certificate of Approval No. A130119, issued to Metal Recovery Industries Inc., to permit the company to modify the waste tin/lead stripper solution process to recover fluorides as calcium fluoride, provided that the changes are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-Laws are complied with fully.
- (b) That on the basis that the application is for a minor modification to the existing process, it is felt that a public hearing is not necessary.
12. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and retaining the portion of Belview Avenue lying north of a line drawn from the south-east corner of Lot 3 to the south-west corner of Lot 30, Registered Plan 419 and Beck Street as established by By-law 2790.
- (b) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of The Registry Act R.S.O. 1980 for an order to stop-up, close and retain the following unassumed alleys:
  - i. Part of the alley lying immediately west of Lots 1 to 11, inclusive, Registered Plan 419;
  - ii. All of the alley lying immediately north-west of Lots 18 and 19, registered Plan 419;
  - iii. The southerly 0.58m of the alley lying immediately north of the Reserve, Registered Plan 378, being part of the alley immediately west of Lot 18, Registered Plan 378.
- (c) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law.
- (d) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval of the proposed closings, pursuant to Section 48 of The Regional Act.
- (e) That the City Solicitor be authorized and directed to prepare the necessary easement agreements required for Union Gas and the Region for their underground utilities on Belview Avenue and Beck Street.

13. That the request of the Hamilton Portuguese Band to temporarily close Sheaffe Street, from Park Street to the east end of Sheaffe Street, from 7:00 p.m. on Saturday, September 3, 1988 to 10:00 p.m. on Sunday, September 4, 1988, be approved subject to the following conditions:
- (a) That the applicant obtain a "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group.
  - (b) That clean up will be carried out immediately before the reopening of the road at no cost to the City.
  - (c) That the organizing group provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability and holds the City harmless from all actions, interests, claims, demands, costs, damages, expenses and loss.
  - (d) That the organizing group reimburse the Regional Police Department and the Department of Public Works for any extra costs incurred by these agencies.
  - (e) That no homeowner within the barricaded area will be denied access to their residence upon request.
  - (f) That the organizing group ensure that suitable detour arrangements will be available during the duration of the closure.
  - (g) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the event if the above conditions are satisfactorily met.
  - (h) The use of electronic devices, loud speakers, etc., intended for the production, reproduction, or amplification of sound shall not be permitted after 11:00 p.m., pursuant to Noise By-law No. 79-292.

14. That the application of Mr. S. Chisholm, agent on behalf of St. James Baptist Church, to temporarily close Jackson Street between James Street and MacNab Street on Saturday, July 30, 1988 from 10:00 a.m. to 2:00 p.m. to hold a Religious Festival, be approved during the pleasure of Council, provided:
- (a) That the applicant provide proof of \$1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
  - (b) That the applicant reimburse the Regional Police and Department of Public Works for any extra costs incurred by these agencies;
  - (c) That no property owner or resident within the barricaded area will be denied access to their property upon request;
  - (d) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group; and
  - (e) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City.
15. That Catharine Street between King Street and Main Street be temporarily closed, from 5:30 p.m. to 8:00 p.m., on Saturday, August 13, 1988, in order that Cycle Hamilton may hold a Bicycle Race in the Gore Park area of downtown Hamilton with approval being subject to the following conditions:
- (a) That the Applicant obtain "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control, will be subject to the direction of the Regional Police Department, and at the expense of the organizing group.
  - (b) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the road at no cost to the City.



- (c) That the applicant provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (d) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the event if the above conditions are satisfactorily met.
  - (e) That the applicant will be responsible for placing a suitably sized ad in the local newspaper advising of the event and work with the Hamilton Street Railway to provide a map showing alternative bus routes at the organization's expense.
  - (f) That the applicant reimburse the Regional Police, Department of Public Works, and the Hamilton Street Railway for any extra costs incurred by these agencies.
  - (g) That no property owner or resident within the barricaded area will be denied access to their property upon request.
16. That the following roads be temporarily closed, from 1:30 p.m. to 5:00 p.m., on Sunday, August 14, 1988, in order that Cycle Hamilton may hold a Bicycle Race in the Hess Village area of downtown Hamilton:
- George Street, from Pearl Street to Hess Street, and
  - Hess Street, from Main Street to King Street, and
  - Pearl Street, from King Street to George Street
  - Ray Street, from King Street to George Street

with approval being subject to the following conditions:

- (a) That the Applicant obtain "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control, will be subject to the direction of the Regional Police Department, and at the expense of the organizing group.

- (b) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the road at no cost to the City.
  - (c) That the applicant provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (d) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the event if the above conditions are satisfactorily met.
  - (e) That the applicant will be responsible for placing a suitably sized ad in the local newspaper advising of the event and work with the Hamilton Street Railway to provide a map showing alternative bus routes at the organization's expense.
  - (f) That the applicant reimburse the Regional Police, Department of Public Works, and the Hamilton Street Railway for any extra costs incurred by these agencies.
  - (g) That no property owner or resident within the barricaded area will be denied access to their property upon request.
17. That the City Solicitor be authorized and directed to prepare a By-law to Incorporate Block 20, Plan 62M-471 into Quincy Court.
18. (a) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 63 (0.305m reserve) Plan 62m-517 and Block 27 (0.305m reserve) Plan 62M-469 into Kordun Street.
- (b) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 25, Plan 62M-423, into Templemead Drive.
- (c) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 43, Plan 62M-495 into Merilee Crescent.
19. That Item 29 of the 10th Report of the Transport and Environment Committee adopted by Council on 1988 June 28, authorizing permission to retain an encroachment at 32 Murray Street, be rescinded.

20. That the application of Mr. J. Brenzil, agent, on behalf of the present owner of 440 Victoria Avenue North, Alan Candy International, to retain the following inadvertent encroachments consisting of:

- On Ferrie Street
  - 3 story brick building encroaching by 139.79m x 0.51 m
  - existing enclosed gas manifold 3.82 m x 10.82m
  - proposed loading dock enclosure 6.10 m x 3.83 m
- On Emerald Street
  - Concrete entrance way 3.44 m x 3.81 m

be approved during the pleasure of City Council provided:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses, and loss.
- (b) That a first year fee of \$131.36 and subsequent annual fee of \$105.36 be set for this privilege.
- (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

21. That the application of Mr. R. Charko, Solicitor, on behalf of the present owner(s) of 143 Young Street, Michael Koester and Robert Charko, to retain the inadvertent encroachments consisting of:

- On Young Street - Concrete Porch 0.52m x 5.20m
- On Walnut Street South - Brick Dwelling 0.52m x 8.50m
  - Enclosed Porch 0.37m x 4.47m

be approved during the pleasure of City Council provided:

- (a) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses, and loss.
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
- (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.



22. That the application of Ms. P. Bertrand, agent on behalf of the present owner of 27 Linwood Avenue, Carmen, Yvonne Pilgrim, to retain the inadvertent encroachment consisting of wooden steps (measuring 0.33 m x 1.22 m), be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses, and loss.
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
23. That the application of Mr. T. Tirone, agent on behalf of the present owner(s) of 167 Hunter Street East, Newview Properties Inc., to retain the inadvertent encroachment consisting of concrete steps (measuring 0.56 m x 1.07 m), be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses, and loss.
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
24. That the application of Mr. D. Branston, the present owner of 279 Jackson Street West, to retain inadvertent encroachments consisting of an enclosed porch 0.64m x 2.74m and wooden steps 0.55m x 1.70m, be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses, and loss.

- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
25. That the application of Mr. M. Hinchey, Solicitor, on behalf of the present owner of 554 James Street North, Mr. D. Lemmon, to retain the following inadvertent encroachments consisting of:
- i. On Wood Street - overhead fabric awning 0.41m x 0.76m
  - ii. On James Street North - overhead fabric awning 0.91m x 1.54m  
- 3 storey Brick Building and Eaves  
0.51m x 9.08m
- be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses, and loss.
  - (b) That a first year fee of \$132 and subsequent annual fee of \$27 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
26. That the application of Mr. K. Schaible, agent on behalf of the present owner of 364 Main Street West, Schaible Electric Limited, to retain the inadvertent encroachments on the 12 foot alleyway abutting the said property consisting of a metal siding dwelling 1.15m x 11.76m and wooden steps and landing 1.15m x 1.81m, be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses, and loss.
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

27. (a) That the "Designer's Showcase Organization" be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 22, 1989 to May 29, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"Designer's Showcase '89"

- (b) That the "United Way Organization" be permitted to display a promotional banner across Main Street West, in front of City Hall, from September 25, 1989 to October 2, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"Please Support the United Way"

- (c) That the "Canadian Society of Safety Engineers" be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 29, 1989 to June 5, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"Canadian Occupational Health and Safety Week  
June 11-17"

- (d) That the "Y.W.C.A." be permitted to display a promotional banner across Main Street West, in front of City Hall, from September 11, 1989 to September 18, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"Y.W.C.A. 100th Anniversary"

- (e) That the "Hamilton Public Library" be permitted to display a promotional banner across Main Street West, in front of City Hall, from October 23, 1989 to October 30, 1989, and from November 6, 1989 to November 13, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"Hamilton Public Library Centennial"  
1889-1989"



- (f) That the "World Conference for Co-Op Education" be permitted to display a promotional banner across Main Street West, in front of City Hall, from August 21, 1989 to August 28, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"Hamilton Welcomes World Co-op Delegates"

- (g) That the "McMaster Alumni Organization" be permitted to display a promotional banner across Main Street West, in front of City Hall, from October 9, 1989 to October 16, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"Welcome McMaster Alumni"

28. (a) That the submitted schedules for the estimated cost of services in "APPLERIDGE ESTATES", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered;
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing; and
- (d) That the City's Share of the cost of services for the development (\$818) be approved and that the Executive Committee recommend the source of funding for this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE  
CITY'S COST OF SERVICES IN THE AMOUNT OF \$818  
BE FINANCED FROM THE RESERVE FOR CITY'S SHARE  
OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT  
NO. 0280-12.

29. (a) That the submitted schedules for the estimated cost of services in "Wellington Chase - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered;
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing; and
- (d) That the City's Share of the cost of services for the development (\$34 920.68) be approved and that the Executive Committee recommend the source of funding for this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$34 920.68 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

30. (a) That a three-way stop control be implemented at the intersection of Park Plaza Drive and Parkwood Crescent.
- (b) That a three-way stop control be implemented at the intersection of Summer Place and Gatineau Drive.
- (c) That westbound traffic on Swallow Crescent be required to stop for northbound and southbound traffic on Bluebird Avenue; and
- (d) That eastbound traffic on Swallow Crescent be required to stop for northbound and southbound traffic on Meadowlark Drive; and
- (e) That southbound traffic on Redwing Road be required to stop for eastbound and westbound traffic on Swallow Crescent; and
- (f) That northbound traffic on Gurnett Gate be required to stop for eastbound and westbound traffic on Gurnett Drive; and
- (g) That westbound traffic on Cambridge Avenue be required to stop for northbound and southbound traffic on Frederick Avenue; and
- (h) That a four-way stop control be implemented at the intersection of West 3rd Street and McElroy Road; and
- (i) That City Traffic By-law 66-100 be amended accordingly.

31. That the application by Mira Realty Ltd. to lease a portion of the boulevard of Rosewood Road adjacent to No. 256 Rosewood Road be approved, provided that:
- (a) The applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$50 per year) plus taxes, if any, in addition to the \$10 encroachment insurance charge approved by the City Council on 1984 February 14.
  - (b) The owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
  - (c) The owner pays a one time \$150 processing fee, as approved by the City Council on 1988 January 12.
  - (d) The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
  - (e) The parking area be constructed and maintained at the owner's expense.
  - (f) The owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses, and loss.
32. That the application by Linrold Enterprises to lease a portion of the Boulevard of East 28th Street adjacent to Nos. 667-675 Fennell Avenue East be approved, provided that:
- (a) The applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$100 per year) plus taxes, if any, in addition to the \$10 encroachment insurance charge approved by the City Council on 1984 February 14.
  - (b) The owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
  - (c) The owner pays a one time \$150 processing fee, as approved by the City Council on 1988 January 12.
  - (d) The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.



- (e) The parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
  - (f) The owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses, and loss.
33. That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, the school traffic officer at the intersection of Franklin Road and East 27th Street be retained on a permanent basis.
34. (a) That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a School Traffic Officer be assigned to the intersection of Kenilworth Avenue South and Central Avenue for the morning and evening crossing periods only; and
- (b) That the Finance Committee be requested to recommend the method of financing \$1 910, to cover the cost of assigning a School Traffic Officer to the intersection of Kenilworth Avenue South and Central Avenue for the remainder of 1988.
35. (a) That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a school traffic officer be assigned to Albright Road immediately east of Nicklaus Drive in front of the walkway to Elizabeth Bagshaw School; and
- (b) That the Finance Committee be requested to recommend a method of financing \$2 628 to cover the cost of assigning a school traffic officer to this location for the remainder of 1988.
- (c) That a three-way stop control be implemented at the intersection of Nicklaus Drive and Albright Road.
- (d) That City Traffic By-law 66-100 be amended accordingly.
36. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the south side of Duke Street between Hess Street South and Queen Street South; and
- (b) That unrestricted parking be permitted on the west side of the westerly branch of Birch Avenue from a point 290 feet south of Barton Street East to the southerly end of the street; and

- (c) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit" regulation be implemented on both sides of East 34th Street between Concession Street and Crockett Street; and
- (d) That an "Alternate Side Parking" regulation be implemented on Golfwood Drive between Guildwood Drive and Greencedar Drive such that parking is prohibited
  - i. on the east and south sides of the street during the months of December, January, February and March and from the first to the 15th of April, May, June, July, August, September, October and November; and
  - ii. on the west and north sides of the Street from the 16th to the last day of April, May, June, July, August, September, October and November; and
- (e) That unrestricted parking be permitted on the south side and a full-time parking prohibition be implemented on the north side of Cambridge Avenue between Kenilworth Avenue North and Frederick Street, in place of the existing "Alternate Side Parking" regulation; and
- (f) That the two one-hour parking meters on the north side of Cambridge Avenue and west of Kenilworth Avenue be relocated to the south side.
- (g) That a "One Hour Parking Time Limit, Monday to Saturday" regulation be implemented on Burton Street between Emerald Street and Victoria Avenue in the combination with the existing "Alternate Side Parking" regulation; and
- (h) That "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of St. Andrews Drive between the north leg of St. Andrews Drive and Jennifer Court; and
- (i) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Sanford Avenue North between Myler Street and a point 125 feet southerly therefrom be rescinded to allow unrestricted parking in this area; and
- (j) That City Traffic By-law 66-100 be amended accordingly.

37. (a) That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first two applicants residing in the apartment building at No. 178 MacNab Street South.
- (b) That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first 6 applicants residing in the apartment building at No. 76 Aikman Avenue.
38. (a) That parking be prohibited on the north side of Jackson Street East between Ferguson Avenue South and a point 126 feet westerly therefrom; and
- (b) That City Traffic By-law 66-100 be amended accordingly.
39. (a) That in combination with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on the west side of Lincoln Street commencing 54 feet north of Gordon Street and extending to a point 24 feet northerly therefrom, and on the east side of Lincoln Street commencing 53 feet north of the north curb line of Gordon Street and extending to a point 20 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Miss C. Penner, 25 Lincoln Street; and
- (c) That City Traffic By-law 66-100 be amended accordingly.
40. (a) That a "No Left Turn, 3:00 p.m. to 6:00 p.m., Monday to Friday" restriction be implemented for eastbound traffic on Inverness Avenue at Highcliffe Avenue; and
- (b) That City Traffic By-law 66-100 be amended accordingly.
41. (a) That a parking prohibition be implemented on the south side of Bruce Dale Avenue East between East 13th Street at a point 76 feet westerly therefrom; and
- (b) That City Traffic By-law 66-100 be amended accordingly.



42. (a) That School Traffic Officers be assigned to the intersections of Fennell Avenue and Clarendon Avenue/East 5th Street, and Brucedale Avenue and East 5th Street at this time.
- (b) That the Finance Committee be requested to recommend the source and method of financing the approximate cost of \$2 628 for each of these two locations, for the remainder of 1988.
43. (a) That on a six month trial basis, parking on Charlton Avenue West be staggered from one side of Charlton to the other between Locke and Dundurn Streets; and
- (b) That the Hamilton-Wentworth Regional Police be requested to step up enforcement of speeding violations in this area.
44. (a) That a School Traffic Officer be assigned to the intersection of Southbend Road and West 5th Street.
- (b) That the Finance Committee be requested to recommend the source and method of financing the approximate cost of \$2 628 for the remainder of 1988.
45. (a) That the recently installed corner clearances on Balmoral Avenue, north and south of Campbell Avenue, be rescinded.
- (b) That a four-way stop control be implemented at the intersection of Balmoral Avenue North and Campbell Avenue.
- (c) That City Traffic By-law 66-100 be amended accordingly.
46. That a request by the owner of 163 Montmorency Drive, Mr. John Bourdon, to have the City waive a snow removal charge in the amount of \$226, which was added to his tax bill for snow removal done by the City in 1987, be approved.
47. That leave be granted to introduce the following bills:
- (a) B-58 By-law to close a portion of the unopened road allowance of Ferguson Avenue from the C.N.R. right of way 24.4m southerly being Part 1, on Plan 62R-9175.
- (b) B-59 By-law to close a triangular parcel of road allowance abutting 24 Ravenscliffe Avenue being Part 1, on Plan 62R-8133.

- (c) B-60 By-law to close and sell ten foot (10') public walkway in Gilkson Neighbourhood from Cranbrook Drive to Greyfriar Drive, Plan M-66.
- (d) B-61 By-law respecting the construction of local improvements of an independent concrete sidewalk on the north side of Barton Street from Kenilworth Avenue to approximately 755m westerly.
- (e) B-62 By-law respecting Municipal Weed Inspectors.
- (f) B-63 By-law to Amend By-law 66-100 to Regulate Traffic.
- (g) B-64 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

R. C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1988 July 18







REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its FIFTEENTH Report for 1988 and respectfully recommends:

1. (a) That approval be given to conduct a study on the feasibility of using the Inverness School Site as a Seniors Centre at a cost not to exceed \$15 000.  
  
(b) That the Finance Committee be requested to recommend the method of financing the amount of \$15 000 for this project.
2. That a purchase order be issued to W. H. Reynolds (Cambridge) Ltd., Cambridge, in the amount of \$19 656 to supply and install Bleachers for Disabled, Ivor Wynne Stadium for the Parks Division of the Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O and that any action taken under this provision to be reported to the next regular meeting of City Council".

Only quotation received. Funds provided in Stadium Improvements Account No. 0364-9823.

3. That a purchase order be issued to Robert Slessor Pontiac Buick Inc., Grimsby in the amount of \$15 152.26 for the supply and delivery of one (1) Cargo Van for the Culture and Recreation Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".

Lowest of two (2) tenders received. Funds provided in Automotive Equipment Account No. 0367-0175.

12. That leave be granted to introduce the following bill:

- (a) Bill C-2 : By-law respecting the proposed expropriation of 117 West Avenue South, 123 West Avenue South, 32 Stinson Street and 141 Walnut Street South.

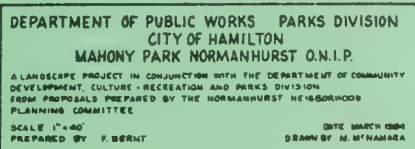
RESPECTFULLY SUBMITTED

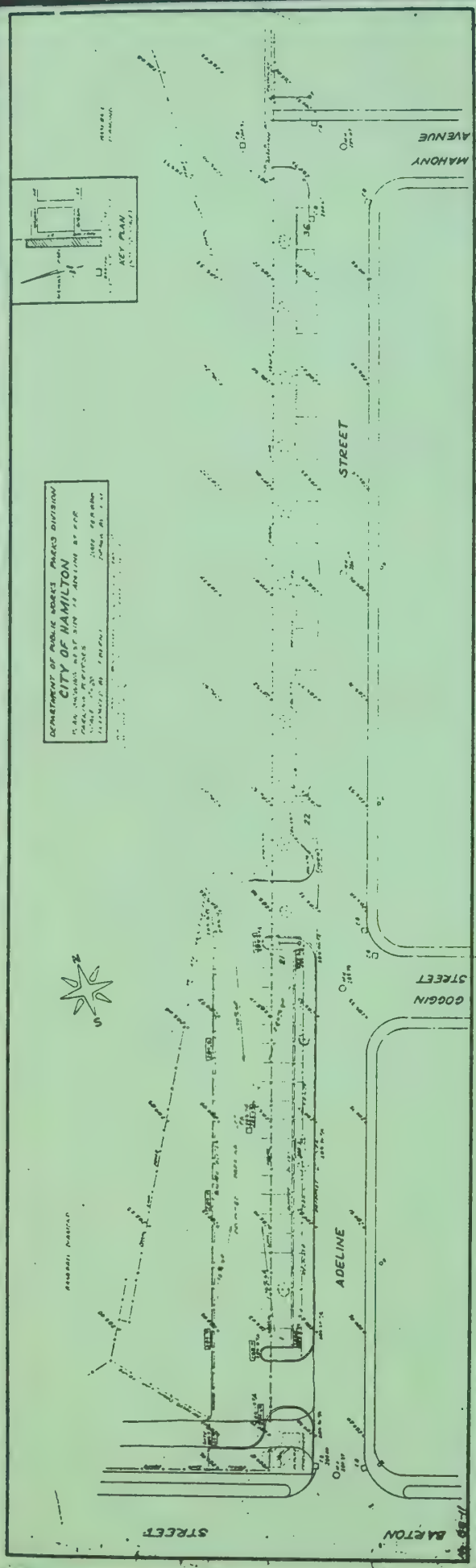
ALDERMAN T. MURRAY  
CHAIRMAN  
PARKS AND RECREATION COMMITTEE

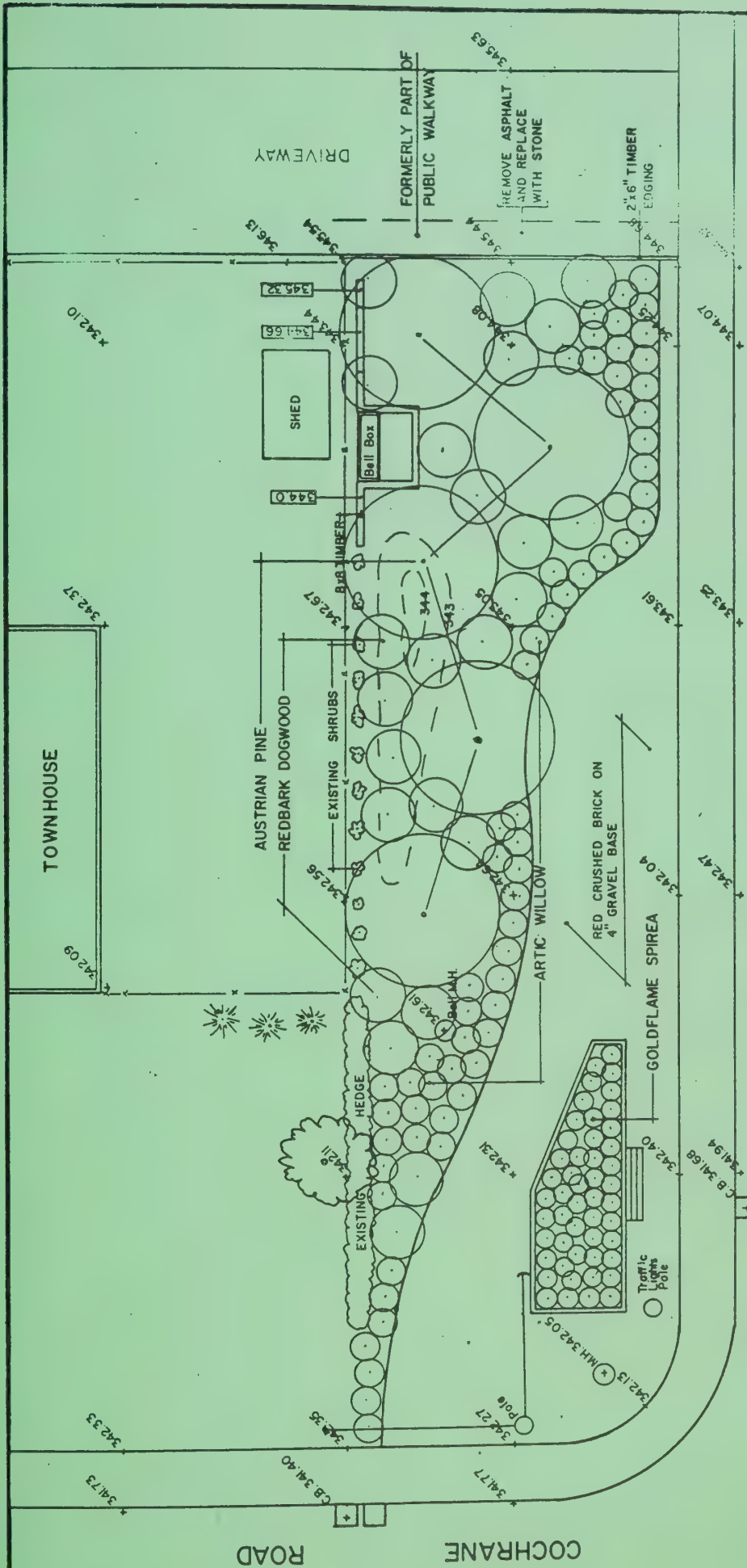
R. C. Prowse  
Secretary  
1988 July 19  
/bc



PRIVATE







## LAWRENCE ROAD

BOTANICAL NAME	COMMON NAME
5 PINUS NIGRA	AUSTRIAN PINE
50 SPIREA BUMALDA GOLDFLAME	GOLDFLAME SPIREA
25 CORNUS ALBA SIBIRICA	REDBARK DOGWOOD
65 SALIX PURPUREA NANA	ARTIC WILLOW

DEPARTMENT OF PUBLIC WORKS, PARKS DIVISION  
CITY OF HAMILTON  
SHOWING PROPOSED LANDSCAPING  
**COCHRANE & LAWRENCE ROAD**  
SCALE: 1"=10'  
PREPARED BY: F. BERNT  
JANUARY 21, 1987  
DRAWN BY: M.M.

NOTE: CITY OF HAMILTON BENCH MARK 6-20  
ELEVATION 343.31

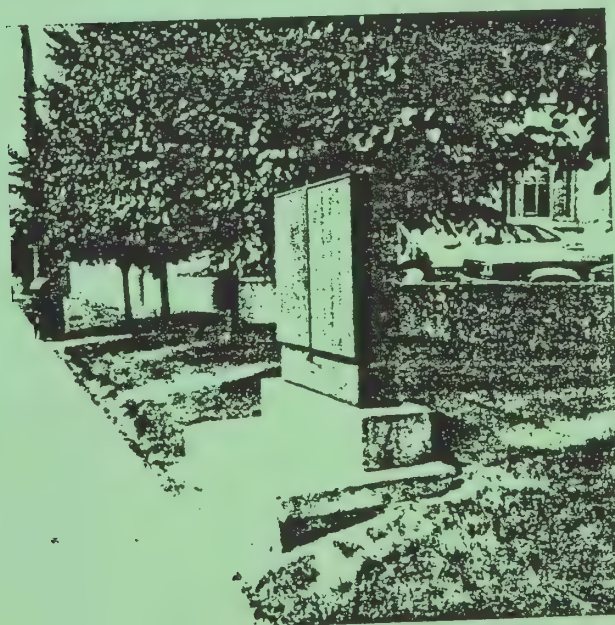
No. 87-2





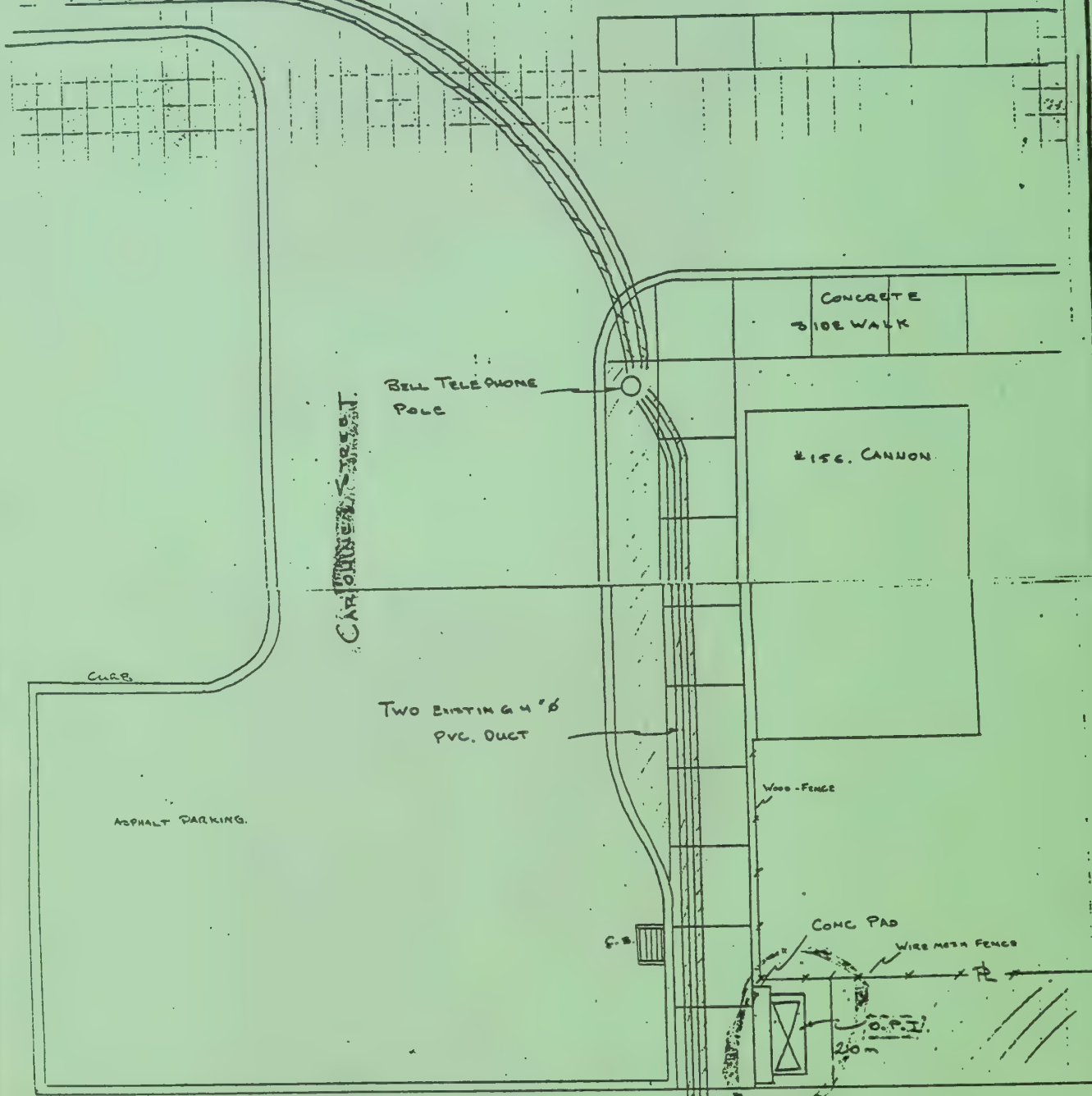
Referred to in Section 7 of the  
FIFTEENTH Report for 1988 of the  
Parks and Recreation Committee  
as Appendix "B"

Bell Telephone Outside Interface



CANNON STREET WEST

TO MH  
50-1



CURB

ASPHALT PARKING

TWO EXISTING 4" Ø  
PVC DUCT

WOOD FENCE

CONC PAD

WIRE MESH FENCE

O.P.I.

2.0m

1.0m

ASPHALT WALKWAY

O.P.I.  
CABINET SIZE:  
0.297

1.537

1.334

1.48

C-9

TO #179 CAROLINE







## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SIXTEENTH Report for 1988 and respectfully recommends:

1. That two members of the Planning and Development Committee, one representative from the Seniors Council and one staff member be authorized to attend the Conference on Housing Options for Older Canadians sponsored by the Canada Mortgage and Housing Corporation to be held 1988 October 18-20 in Halifax, Nova Scotia.

NOTE: The Seniors Council representative's expenses to be charged to account 0321-0291 - Legislative Travelling.

2. That the City Solicitor be instructed to consent to dismissal of the City's action against the Subdivider also involving the Landowners on the basis that no court costs be payable by any party involving Battleridge Subdivision - Phase 1, Plan 62M-336.

NOTE: The Subdivision was registered in 1982. Improper grading appears to have been done by the Landowners rather than the original Subdivider and for this reason no further action is required.

3. (a) That the Building Commissioner be authorized to issue demolition permits for the demolition of the following properties:

- i 270 Stone Church Road East
- ii 255 Mount Albion Road
- iii 1515 Upper Gage Avenue
- iv 85 Delaware Avenue
- v 100 Wentworth Street North



- (b) That the demolition permit for 2825 King Street East BE DENIED.

NOTE: It was agreed by the Committee that because of the unusual circumstances surrounding the demolition of 2825 King Street East, the following steps would be taken:

- i That the owner be contacted to determine his role in the demolition and that the police be requested to investigate the demolition, and
- ii That the City Solicitor's office be asked for their opinion as to whether or not the City may withhold the Building permit
- iii That the development be held back until this matter is resolved.

4. That purchase orders be issued for the supply and delivery of Downtown Hamilton Action Plan Phase V Light Fixtures for the Community Development Department, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

Moldcast, Mississauga

In the amount of \$154 008

Prescolite, Mississauga

In the amount of \$ 21 600

NOTE: The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Only tenders received. Funds provided in James Street North Streetscape, Light Fixtures Account #0405-A82018.

5. That the Department of Community Development be directed to process a Designated Property Grant in the amount of \$3000 to Mr. Donald Warrener, owner of Custom House, 51 Stuart Street.
6. That the total outstanding O.H.R.P. loan for the Estate of Mrs. Clara M. Stewart, 86 Keith Street, in the amount of \$1994.10, be placed on the Tax Rolls.

7. That a loan increase for a Commercial Facade, in the amount of \$911 BE APPROVED for Mr. Mark Maltman, owner of 7 & 11 Mary Street.
- NOTE: The interest rate will be 4.5 percent, amortized over 10 years. The total loan would now be \$19 811.
8. That a Commercial Facade Loan in the amount of \$15 000 BE APPROVED for The Hamilton Young Womens' Christian Association, owners of 66 Ottawa Street North.
- NOTE: The interest rate will be 4.5 percent, amortized over 10 years.
9. That the City of Hamilton accept the sum of \$9 360 as cash payment in lieu of 5% dedication in connection with "Appleridge Estates", Hamilton, this being the cash requirement under Section 50 of The Planning Act.
- NOTE: These lands are located west of Upper Sherman Avenue and north of Stone Church Road in the Rushdale Neighbourhood, Hamilton.
10. That the Drainage By-Law amendment to By-Law 88-09 attached hereto and marked APPENDIX "A", BE APPROVED.
- NOTE: The By-Law implements the decision of Council taken on 1988 February 9 and further amends the effective date by two (2) weeks for requiring roof leader connections.
11. That the City Solicitor BE AUTHORIZED TO AMEND the deed on Lots 2 and 3, Plan M-352, Deeds 212642 L.T. and 212804 L.T., respectively to Ontario Auto Collision Limited as follows:
- (a) That the time for commencement of the construction of buildings of 5,000 square feet be extended to 1988 September 30, and the time for completion of the building be extended to 1988 December 30.
  - (b) That the City agree to the request of Ontario Auto Collision Limited that it be permitted to transfer Lot 2 and Lot 3, Plan M-352 to G.N.A.F. Land Group Inc. a company controlled by the owners of Ontario Auto Collision Limited.
  - (c) That the Mayor and City Clerk be authorized to execute the required documents.

12. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, Parts 3 and 4, Plan 62R-5200, Stone Church Industrial Park located on Anchor Road, duly executed on 1988 June 17 by the Purchasers, Sam Mercanti, Peter Mercanti and Morris Mercanti and scheduled for closing on 1988 November 24, BE APPROVED AND COMPLETED.

NOTE: The purchase price is \$82 512. A deposit cheque in the amount of \$4 125. is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the western limit of Anchor Road, having a frontage of 63.565 metres (208.54 feet) by a depth of 77.77 metres/70.134 metres (255.15 feet/230.09 feet) and containing an area of 6678.3 metres squared (1.6502 acres).

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked APPENDIX "B".

13. (a) That APPROVAL be given to Subdivision Application 88-06, "Clark Manor", H. C. Harnden, owner, to establish a draft plan of subdivision west of Upper Gage Avenue and north of Rymal Road East, subject to the following conditions:
- i That this approval apply to the plan prepared by S. W. Woods Inc., dated 1988 February 2, revised by a change to the lot line between Lots 4 and 5 and showing 5 lots, two blocks (Blocks "6" and "7") for development with adjacent lands, one block (Block "8") for future development and one block (Block "9") as a road widening.
  - ii That the street and the street widening (Block "9") be dedicated as public highways on the final plan.
  - iii That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - iv That the final plan conform with the Zoning By-law approved under The Planning Act.
  - v That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.



- vi That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- vii That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
- viii That Blocks "6" and "7" be developed only in conjunction with abutting lands.
- ix That Eaglewood Drive be established to its full width prior to or in conjunction with the development of this plan of subdivision.
- x That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
- xi That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this Application (SA-88-06), H. C. Harnden, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

- 14. (a) That APPROVAL be given to Subdivision Application 88-09, "Rita Avenue", Duarte Holdings, owner, to establish a draft plan of subdivision east of Upper Gage Avenue and south of Stone Church Road, subject to the following conditions:
  - i . That this approval apply to the plan prepared by A. J. Clarke and Associates, dated 1988 March 15 showing 24 lots and one Block (Block "25") for future multiple housing development and Block "26" as a 0.3m reserve.

- ii That the streets be dedicated as public highways on the final plan.
  - iii That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - iv That the final plan conform with the Zoning By-law approved under The Planning Act.
  - v That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - vi That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - vii That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - viii That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - ix That Templemead Drive be established to its full width prior to or in conjunction with the development of this plan of subdivision.
  - x That Block "26" be conveyed to the City of Hamilton as a 0.3m reserve.
  - xi That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this Application (SA-88-09), Duarte Holdings, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

15. That Section 13 of the Fifth Report of the Planning and Development Committee as approved by the City of Hamilton Council on 1988 March 8, respecting a proposed plan of subdivision of 9.163 ha. of land located north of Rymal Road East and east of Upper James Street in the Ryckmans Neighbourhood, BE REPEALED.
16. (a) That APPROVAL be given to amend Subdivision Application 87-24, 491719 Ontario Ltd. and 663921 Ontario Ltd., owners, respecting a proposed plan of subdivision of 9.163 ha. of land located north of Rymal Road East and east of Upper James Street in the Ryckmans Neighbourhood, subject to the following conditions:
- i That this approval apply to the plan prepared by Higgins Engineering Limited, dated 1987 April 6, revised to show 73 lots, seven blocks for development with adjacent lands, three 0.3m reserves, one block as a cemetery, and one block for a walkway.
  - ii That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - iii That the final plan conform with the Zoning By-law approved under The Planning Act.
  - iv That the owners make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - v That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - vi That the owners provide the City of Hamilton with a certified list showing the net area and width of each lot on the final plan.
  - vii That Roads One, Two, and Four conform to the trunk sewer easement within the plan.
  - viii That Road One is to be established to its full width prior to or in conjunction with the plan.



- ix That the owner is to purchase from the Regional Municipality lands known as Part 2, Reference Plan 62R-7100 and incorporate these lands in the final plan.
  - x That the centreline radii of all streets within the plan must have a 110 metre radius.
  - xi That prior to the availability of the extension of sewers from the east, Lots 1 to 33 and Blocks "76" and "77" cannot be developed.
  - xii That the centreline of Street Three must align with the centreline of Street "G" as shown on the draft approved plan of "Di Cenzo Gardens", Regional File No. 25T-86008.
  - xiii That Blocks "74", "75", "76", "77", "79", "80" and "84" inclusive be developed only in conjunction with adjacent lands.
  - xiv That Blocks "81", "82", "83", and "85" created by this plan as 0.3m reserves be conveyed to the City of Hamilton.
  - xv That a daylight triangle and an 86-foot road be established to its full width, as the midblock collector street north of the commercial block, prior to or in conjunction with this plan.
  - xvi That the owners shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - xvii That the owners agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this Application (SA-87-24, 491719 Ontario Limited, and 663921 Ontario Limited, owners, proposed draft of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

17. (a) That a staff member from the City Solicitors Department and other staff as required be directed to attend the Ontario Municipal Board Hearing to be held 1988 July 28, to defend the City's interest in the matter of an appeal to the O.M.B. by 714799 Ontario Limited, 554 James Street North, from a decision of the Committee of Adjustment (Application A-88-40) whereby the Committee denied the variances to establish a patio within the road allowance.
- (b) That a staff member from the City Solicitors Department and other staff as required be directed to attend the Ontario Municipal Board Hearing 1988 July 28 to defend the City's interest in the matter of an appeal to the O.M.B. by Nick Lapceovich, 229 Strathearne Avenue, from a decision of the Committee of Adjustment (Application A-88-74) whereby the Committee denied variances to permit the existing dwelling and future single family dwelling to be located on substandard sized lots.
- (c) That a staff member from the City Solicitors Department and other staff as required be directed to attend the Ontario Municipal Board Hearing to be held 1988 July 29 to defend the City's interest in the matter of an appeal to the O.M.B. by Gertrude Waldbroel, 190 Delaware Avenue, from a decision of the Committee of Adjustment (Application A-88-50) whereby the Committee denied the increase in the number of residents in a legal non-conforming residential care facility from 9 to 18 with no provision for additional parking spaces.
- (d) That a staff member from the City Solicitors Department and other staff as required be directed to attend the Ontario Municipal Board Hearing to be held 1988 September 1 to defend the City's interest in the matter of an appeal by Stevo and Zelko Culibrk, 1518 Barton Street East from a decision of the Committee of Adjustment (Application A-88-19) whereby the Committee denied the variances to permit the establishment of a restaurant without the provision of an adequate number of parking spaces and that the existing parking area is adjacent to a residential area.
18. That the recommendation of the High Density Residential Development Study, attached hereto as APPENDIX "C", BE ENDORSED.
19. That a request be made to the Ministries of Housing and Municipal Affairs to fund a housing intensification study for the City of Hamilton in accordance with the terms of reference, attached hereto as APPENDIX "D".

20. That the City Clerk be requested to inform the Regional Municipality of Hamilton-Wentworth that Proposed Amendment No. 36 to the Hamilton-Wentworth Official Plan does not conflict with the City of Hamilton's planning intentions.
21. That the City Clerk be requested to inform the Township of Glanbrook that the City of Hamilton does not object to a revised application for amendments to the Glanbrook Official Plan and Zoning By-law for "Airport-Related Commercial" uses, for lands located within the southern portion of the hydro corridor, east of Highway No.6, and south of the City of Hamilton, provided that:
- development within the hydro corridor be restricted to the 0.9 ha. (2.3 ac.) site, east of Highway No. 6 (see attached map marked as APPENDIX "E", and that further development within the hydro corridor not be permitted, to ensure that a buffer will be maintained between the Allison Neighbourhood in the City of Hamilton and the proposed Airport-Related Commercial Uses in Glanbrook.
22. That APPROVAL be given to Zoning Application 83-45, Sunoco Inc., owner, Rosart Properties Inc., agent, for a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "G-1" (Designed Shopping Centre District), for lands located at the south-east corner of Upper Sherman Avenue and Stone Church Road East, and lands municipally known as No. 1411 Upper Sherman Avenue and No. 688 Stone Church Road East, as shown on the attached map marked as APPENDIX "F", on the following basis:
- (a) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "G-1" (Designed Shopping Centre) District;
  - (b) That the lands described as Block 2 be rezoned from "C" (Urban Protected Residential, etc.) District to "G-1" (Designed Shopping Centre) District;
  - (c) That the "G-1" (Designed Shopping Centre) District regulations as contained in Section 13A of Zoning By-law No. 6593 applicable to the lands described as Blocks 1 and 2, be modified to include the following variance as a special requirement:



That a 6.0m (19.69 ft.) wide landscaped planting strip and a 1.2m (3 ft.) to 2.0m (6.56 ft.) high visual barrier be established along and within the easterly and southerly limits of the "G-1" (Designed Shopping Centre) District (Blocks 1 and 2) adjoining a residential district.

- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1086, and that the subject lands on Zoning District Map E-38C be notated S-1086;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38C;
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The effect of the By-law is to permit development of the subject lands for a shopping centre and a self-serve gas bar.

23. That APPROVAL be given to Zoning Application 87-82, Gwynette Seymour and Frederick Seymour, owners, requesting a further modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property at Nos. 60-62 West Avenue South, as shown on the attached map parked as APPENDIX "G", on the following basis:

- (a) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of the Zoning By-law No. 6593 as amended by By-law 83-61 passed by City Council on 1983 February 22, applicable to the subject lands be further amended to include the following variances as special provisions:
  - i That Section 1.(a) of By-law No. 83-61 be amended by deleting the following wording after the word "that" in the third line; "twelve residents of at least 60 years of age", and substitute the following new wording, "twenty residents".
  - ii That Section 1.(c) of By-law No. 83-61 be amended by deleting the following word after the word "that" in the first line "four", and substitute the following new word "six".

- iii That a new Section 1.(d) be introduced which reads as follows:

Notwithstanding Section 18A.(9) of Zoning By-law No. 6593, the required maneuvering area for the required six parking spaces may be located off the site.

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-810a, and that the subject lands on zoning District Map E-14 be notated S-810a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-14;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
24. (a) That APPROVAL be given to Official Plan Amendment No. 58 to redesignate from "Residential" to "Commercial" and to establish a "Special Policy Area" for property located at the north-west corner of Rymal Road East and Upper Wentworth Street, municipally known as No. 401 Rymal Road East, and that the City Solicitor be directed to prepare a By-law to adopt the Official Plan Amendment for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That APPROVAL be given to an amended Zoning Application 88-12, Wentwal Developments Ltd., owner, requesting changes in zoning to permit the development of lands located at the north-west corner of Rymal Road East and Upper Wentworth Street, municipally known as No. 401 Rymal Road East, for townhouses (Blocks "2" and "3"), apartments (Block "4"), a commercial plaza (Block "5") and to establish the appropriate zoning for the existing dwelling (Block "1"), as shown on the attached map marked as APPENDIX "H", on the following basis:
- i That Block "1" be rezoned from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District.
- ii That Block "2" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District.
- iii That Block "3" be rezoned from "AA" (Agricultural) District to "RT-30" (Street-Townhouse) District.

- iv That Block "4" be rezoned from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District.
- v That Block "5" be rezoned from "AA" (Agricultural) District to "G-1" (Designed Shopping Centre) District.
- vi That the "G-1" (Designed Shopping Centre) District regulations as contained in Section 13A of Zoning By-law No. 6593 applicable to Block "5", be modified to include the following variance as a special requirement:

Notwithstanding Section 13A (1) of Zoning By-law 6593 the following Commercial Uses shall be prohibited:

- a restaurant or refreshment room;
- a manual car wash,
- a mechanical car wash,
- a coin-operated car wash,
- a high-speed mechanical car wash; and,
- an automobile service station.

- vii That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1087, and that the subject lands on Zoning District Map E-18E be notated S-1087;
- viii That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18E;
- ix That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon receiving the approval of Official Plan Amendment No. 58 from the Regional Municipality of Hamilton-Wentworth.
- x That the Barnstown Neighbourhood Plan be amended by appropriately redesignating Blocks 1, 2, 3 and 5.



25. That APPROVAL be given to Zoning Application 88-30, Stanley Kasprzak, prospective owner, for a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse and Maisonette) District, for property being part of No. 1515 and No. 1523 Upper Gage Avenue as shown on the attached map marked as APPENDIX "I", on the following basis:
- (a) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse and Maisonette) District;
  - (b) That the lands described as Block 2 be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse and Maisonette) District;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49D.
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
26. That APPROVAL be given to Zoning Application 88-33, F. and C. Cimino, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of a vacant lot for a single family dwelling, for the property located at No. 739 Stone Church Road West, as shown on the attached map marked as APPENDIX "J", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37c;
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

27. That Zoning Application 88-36, Emelio Mascia and Mary Finochio, owners, requesting a change in zoning from the "AA" (Agricultural) District to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, to permit multiple family development on property surrounding No. 1073 West Fifth Street, as shown on the attached map marked as APPENDIX "K", BE DENIED for the following reasons:

- (a) The proposed multiple family development conflicts with the intent of the approved Mewburn Neighbourhood Plan which designates the subject lands for "Single and Double Residential" use.
- (b) It would set a precedent for future similar applications.
- (c) It would be incompatible with existing and future intended uses in the surrounding area.

28. That leave be granted to introduce the following Bills:

- (a) Bill D-81 A By-law to designate land located at municipal no. 255 West Avenue North as property of Historic and Architectural Value and Interest.
- (b) Bill D-82 A By-law to adopt Official Plan Amendment No. 58 respecting land located at the south-west corner of Upper Sherman Avenue and Limeridge Road East.
- (c) Bill D-83 A By-law to amend Zoning By-law No. 6593 as amended by By-laws No. 84-146 and 84-275 respecting land located at the rear of municipal no. 149 Nash Road South.
- (d) Bill D-84 A By-law to establish Site Plan Control respecting land located at the rear of municipal no. 149 Nash Road South.
- (e) Bill D-85 A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 945 West Fifth Street.

- (f) Bill D-86 A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 2783 Barton Street East.
- (g) Bill D-87 A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 114 Melvin Avenue.
- (h) Bill D-88 A By-law to amend Zoning By-law No. 6593 respecting land located at the north-east corner of West Fifth Street and Stone Church Road West.
- (i) Bill D-89 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of municipal no. 2800 Barton Street East, being Ontario Hydro Lands.
- (j) Bill D-90 A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 26 Wilson Street.
- (k) Bill D-91 A By-law to amend Zoning By-law No. 6593 respecting lands located at municipal nos. 159-179 Hunter Street East.
- (l) Bill D-92 A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 464 Upper Kenilworth Avenue.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

R. C. Prowse  
Acting Secretary  
1988 July 13



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend By-law No. 88-09

Respecting:

ROOF LEADERS

WHEREAS By-law No. 80-245, passed on the 9th day of September 1980 in accordance with The Municipal Act, R.S.O. 1970, Ch. 284, [now The Municipal Act, R.S.O. 1980, Ch. 302, Section 210, paragraph 74 and Section 219, paragraph 1], provides for the regulation of land drainage;

AND WHEREAS By-law No. 88-09, passed on the 12th day of January, 1988, amended By-law No. 80-245 by requiring that roof leaders be connected to storm sewers;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item of the Report of the Planning and Development Committee at its meeting held on the 26th day of July, 1988, directed that By-law No. 88-09 be amended to exempt from its provisions certain subdivisions, where the plan of subdivision is registered in the Land Registry Office prior to , 1988.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of By-law No. 88-09, being an amendment to Section 6 of By-law No. 80-245, is amended by inserting the figure (a) after the number 6.

2. Section 4 of By-law No. 88-09 is further amended by adding thereto the following subsection:

6. (b) Subsection (a) shall not apply to subdivisions where the plan of subdivision is registered in the Land Registry Office for Hamilton-Wentworth prior to the 30 day of January 1988.

PASSED this            day of            A.D. 1988.

City Clerk

Mayor

(1988) R.S.D.C. , July 26



Parts 3 & 4  
Plan 62R-5200

Sam Mercanti, Peter Mercanti  
and Morris Mercanti

The completion of this Agreement is conditional upon the following condition being met by the Regional Municipality of Hamilton-Wentworth prior to closing:

1. That in accordance with the M-13 S-658 Zoning requirement, the Region must construct a 50 foot landscaped berm in accordance with the plans adopted by Regional Council on May 15th, 1979. Said plans are attached hereto.

If the landscaped berm is not completed by the closing date, then the closing will be automatically extended until the work is completed, however, being no later than December 31st, 1988. Failing the completion of the Offer to Purchase by December 31st, 1988, this Agreement will become null and void and the purchasers' deposit will be returned in full without deduction.

2. The purchasers agree:

- (a) that they shall enter into a site plan agreement with the City in a form satisfactory to the City under Section 40 of The Planning Act (R.S.O. 1980 c. 379 as amended).

- (b) The agreement shall include:

- (i) The purchasers' acknowledgement that the Region has installed a berm approximately 50 feet wide along the rear of the property, which berm is shown on the attached plan.

- (ii) The purchasers' acknowledgement that the Region has landscaped the berm with grass, shrubs and trees to establish a visual barrier along the Queen Elizabeth Way frontage of the purchasers' property, as illustrated on landscapes plans and cross section.

- (iii) The obligation of the purchasers for themselves, their heirs, successors and assigns, as the case may be, to:

- (a) maintain and keep good care of the said landscaping including the replacement of same when necessary;

- (b) not to remove the landscaping or the berm, and;

- (c) not to alter the berm or the landscaping except to improve the landscaping.

- (c) The purchasers agree to register the said site agreement on title.

3. The purchasers acknowledge that they are obliged in respect of the balance of the whole property (the bulk of their site) and the purchasers agree they shall in respect of their development of the said balance of the whole property, apply for approval of the City under Section 40 of The Planning Act, R.S.O. 1980 c. 379 as amended, and receive the approval of the City, prior to obtaining their Building Permit.

4. The purchasers also agree that paragraphs 2 and 3 shall not merge upon the delivery of the City's deed herein, but shall remain in full force and effect.

DATED AT Hamilton THIS 17 DAY OF June 1988.

WITNESS:

Muri Lussan

[Signature]  
SAM MERCANTI

D-18

[Signature]  
PETER MERCANTI

[Signature]  
MORRIS MERCANTI



6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:

1. That the grantee shall commence construction of **22,000** building, having a minimum building area of square feet, upon the hereinbefore described land by not later than **May 24th, 1989**.

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the grantee shall complete construction of the said building not later than **May 24, 1990**.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.





## F O R   A C T I O N

REPORT TO:     SUSAN REEDER, SECRETARY  
                 PLANNING AND DEVELOPMENT COMMITTEE

FROM:           J. D. THOMS, COMMISSIONER  
                 PLANNING AND DEVELOPMENT DEPARTMENT

DATE:            1988 June 22  
COMM FILE:  
DEPT. FILE:     P5-4-7-15

SUBJECT:

High Density Residential Development Study

RECOMMENDATION

- a) That the following recommendations be endorsed by Council:
- 1) That the City pass a resolution urging the Province to modify the Building Code to allow for greater flexibility in the conversion of existing buildings to new residential and commercial uses, while continuing to ensure building safety and that the Planning and Development Committee refer the matter to the Planning and Development Department.
  - 2) That the City pass a resolution urging the Province to increase levels of funding for subsidized housing, especially for the purchase of land and the construction of new units, to encourage additional housing of this type in the Central Area and that the Planning and Development Committee refer the matter to the Planning and Development Department.
  - 3) That the City pass a resolution urging the Federal and Provincial Governments to create a scheme of tax incentives to encourage the rehabilitation of older properties, especially those of architectural and/or historical significance and that the Planning and Development Committee refer the matter to the Planning and Development Department.
  - 4) That the City pass a resolution urging the Province to increase funding and streamline its process for its "Convert-to-Rent" along with the various housing rehabilitation programs under Provincial jurisdiction and that the Planning and Development Committee refer the matter to the Planning and Development Department.

Appendix "C" as referred  
to in Section 18 of the  
SIXTEENTH Report for 1988  
of the Planning and  
Development Committee.

- 5) That the City pass a resolution requesting that as part of a review of the total property tax structure, the Province re-examine the assessment of condominium units in multiple residential buildings, in comparison to the assessment of rental units in the same type of structures and that the Planning and Development Committee refer the matter to the Planning and Development Department.
- 6) That the Central Area Plan Official Plan Amendment include a policy encouraging, where appropriate:
  - (i) lower building heights;
  - (ii) building scale, setbacks, and design which are compatible with existing streetscapes;
  - (iii) innovative design;
  - (iv) preservation of heritage buildings or of historical features such as building facades;
  - (v) preservation of trees and other landscape features;
  - (vi) dedication to the City of useable open space for a public park where appropriate;
  - (vii) turning over units for subsidized housing;
  - (viii) providing ground related units suitable for families;
  - (ix) providing facilities such as day nurseries for community use;
  - (x) providing more than the minimum number of parking spaces, and allowing public access to the additional spaces having regard to security;
  - (xi) providing enclosed parking.

The granting of planning incentives may be used to achieve the above and would be at the discretion of Council and would be applied on a site-by-site basis and that the Planning and Development Committee refer the matter to the Planning and Development Department.

- 7) That the Central Area Plan Official Plan Amendment include a policy supporting in principle the provision of off-site parking as an alternative to on-site parking, in cases where it is not feasible to provide the latter and that the Planning and Development Committee refer the matter to the Planning and Development Department.

8) That the Central Area Plan Official Plan Amendment include a policy supporting in principle additional neighbourhood and pedestrian oriented commercial uses in residential areas in line with neighbourhood plan policies and Official Plan policies and that the Planning and Development Committee refer the matter to the Planning and Development Department for review.

9) That the Central Area Plan Official Plan Amendment include a policy supporting residential intensification (through conversions and additions) and infilling, and that these terms be defined and that the Planning and Development Committee refer the matter to the Planning and Development Department for review.

10 a) That the Central Area Plan Official Plan Amendment include a policy supporting the following pattern for multiple residential development:

- i) where high density development is appropriate that it be located in the downtown core and/or with access to high volume arterial roads.
- ii) low density development be located in the centre of neighbourhoods and at a distance from the downtown core.
- iii) medium density development be located between low density and high density development.
- iv) that high density development should primarily be medium rise although high rise should be permitted particularly in the downtown core and in nodes where direct access to high volume arterial roads is available.
- v) that locations of both density and high rise be determined through the neighbourhood plan.
- vi) the appropriateness of development should be judged in accordance with the following criteria:

"where little adverse impact is created on views and vistas particularly the Escarpment and Waterfront, privacy, traffic and street scale and texture".

and that the Planning and Development Committee refer the matter to the Planning and Development Department for review.

10 b) The Central Area Plan Official Plan Amendment should provide definitions of the terms low, medium and high density, and low, medium and high rise and that the Planning and Development Committee refer the matter to the Planning and Development Department.



- 11) That the Central Area Plan Official Plan Amendment include a policy encouraging further high density residential development in the Downtown Core and that the Planning and Development Committee refer the matter to the Planning and Development Department.
- 12) That the Central Area Plan Official Plan Amendment include a policy supporting the principle of planning incentives, as a way to facilitate the preservation of heritage buildings and that the Planning and Development Committee refer the matter to the Planning and Development Department.
- 13 a) That the Central Area Plan Official Plan Amendment include a policy supporting in certain cases the development for residential purposes of vacant areas which exist at ground level under certain apartment buildings and that the Planning and Development Committee refer the matter to the Planning and Development Department.
- b) That portions of landscaped areas of existing apartment buildings be examined for residential use as part of the proposed Housing Intensification Study, and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 14) That the Central Area Plan Official Plan Amendment include a policy supporting the elimination of the side yard requirement in situations where a building on a neighbouring property is built out to the side lot line, and does not have a window of a habitable room facing the subject property, provided that any new building is of a scale and height compatible with that which is adjacent and that the Planning and Development Committee refer the matter to the Central Area Plan Implementation Committee.
- 15) That the Central Area Plan Official Plan Amendment include a policy in which front yard requirements for structures may be based on the setbacks of building in the same block. This would apply to new buildings with facades compatible in terms of height with the facades of existing buildings on the street and that the Planning and Development Committee refer the matter to the Central Area Plan Implementation Committee.
- 16) That the Durand Neighbourhood Plan be reviewed in consultation with the Durand Neighbourhood Plan Implementation Committee:
  - (i) to develop new policies and designations for areas currently zoned for high density residential development;
  - (ii) to permit additional neighbourhood-oriented commercial uses in the neighbourhood residential areas.and that the matter be referred by the Planning and Development Committee to the Durand Neighbourhood Plan Implementation Committee and the Planning and Development Department.

- 17 a) That notices of public meetings of zonings and Committee of Adjustment application be circulated to appropriate neighbourhood associations and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- b) That the Planning and Development Committee be responsible for determining which associations are included in this process and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 18) That new multiple residential zoning categories be established that would have the following characteristics and that the Planning and Development Department prepare a report on the following matters:
- (i) reduced required side and rear yards;
  - (ii) front yards related to the setbacks of buildings on adjacent properties;
  - (iii) reduced landscaping requirements;
  - (iv) no landscaping bonus;
  - (v) reduced building height;

These three zones would have height and density provisions in the range of the following:

Zone "A": 4 storey maximum, 2.0 floor area/lot area ratio.

Zone "B": 6 storey maximum, 3.0 floor area/lot area ratio.

Zone "C": 8 storey maximum, 4.0 floor area/lot area ratio.

These zones may be applied to new areas to be rezoned for multiple residential development. Furthermore, the owners of Central Area lands within the "E", "E-1" and "E-3" Zones would be permitted to develop their property in line with the above provisions on the following basis:

- (i) lands zoned "E" could be developed according to the standards of Zone "A";
- (ii) lands zoned "E-1" also could be developed according to the standards of Zone "A";
- (iii) lands zoned "E-3" could be developed according to the standards of Zone "B".

- 19) That the following proposal "That the Zoning By-law be amended to eliminate the current requirement that a Class "A" dwelling unit created through conversion must have an area of at least 65 m. sq. (700 sq. ft.)" be considered as part of the proposed Housing Intensification Study and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 20) That the following proposal "That the Zoning By-law be amended to eliminate the width requirement for all multiple residential zones, in the Central Area." be considered as part of the proposed Housing Intensification Study and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 21) That the following proposal "That the Zoning By-law be amended to reduce the minimum required lot size to 360 m sq. (4000 sq. ft.) for all residential zones within the Central Area." be considered as part of the proposed Housing Intensification Study and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 22) That a planning report be prepared by the Planning Department taking into consideration the following: "That the Zoning By-law be amended to permit a portion of the landscaped area to be situated on rooftops or terraces."
- 23 a) That as part of the site plan approval process, a brief impact statement be employed, for the purpose of reviewing the impact of new multiple residential developments in the Central Area, with regards to:
  - (i) streetscape compatibility (building heights, front and side yard setbacks, etc.);
  - (ii) shadow casting;
  - (iii) wind effects;
  - (iv) views and vistas;
  - (v) traffic.
- b) That the site plan application forms be amended to include space for brief impact statements on:
  - (i) streetscape compatibility (building heights, front and side yard setbacks, etc.);
  - (ii) shadow casting;
  - (iii) wind effects;



(iv) views and vistas;

(v) traffic.

c) That the process be monitored for one year to evaluate impacts and that the matters be referred by the Planning and Development Committee to the Planning and Development Department.

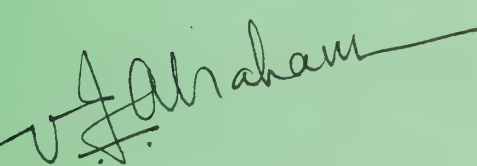
- 24) That the Planning Department carry out a Housing Intensification Study, with special emphasis on the Central Area.
- 25) That the Planning Department review the home occupations permitted in the residential zones within the Central Area, for the purpose of achieving a greater variety of such uses.
- 26) That the Planning Department review the variety of commercial uses permitted in the "E" Zones, the type of structures in which such uses are permitted, and the types of conversions which may be permitted, for the purpose of increasing the amount of commercial activity.
- 27) That the Traffic Department review the parking situation in the Central Area, for the purpose of determining whether the current parking standard for multiple residential structures in the Central Area is appropriate.
- 28) That the Planning Department review the "Cash-in-lieu-of-parking" Program, for the purpose of determining whether the program should be extended to residential development.
- 29) That the Planning Department review the regulations associated with the Zoning categories found in the Downtown Core and develop new incentives, for the purpose of encouraging more housing in that part of the City.
- 30) That the Planning Department prepare guidelines for the operation of a planning incentive system and that these guidelines be incorporated into the Central Area Plan for use as a basis for decisions by the Committee of Adjustment and Council.
- 31) That the Planning Department conduct a study for the purpose of establishing shadow casting and wind effect guidelines, and to determine the height and scale of buildings to which these guidelines should apply.
- 32) That the Planning Department identify those key natural and manmade features the views of which are worthy of preservation. The study should also identify the "view corridors" associated with these features, and should produce guidelines that would encourage appropriate development within these corridors.

- 33) That the Planning Department and citizen committees consider the need for more high density housing in the preparation of the neighbourhood plans for Corktown, Central, Beasley, North End East and North End West.
- 34) That the City expand the current Development Incentives Program, by preparing additional planning briefs for publicly owned underutilized lands in the Central Area, for the purpose of developing those lands for housing and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 35) That the owners of the property shown on Map 1 be approached with the objective of modifying the zoning in order to encourage retention of existing buildings and new development which would be in character with existing development, on the following basis:
- (i) the Durand Neighbourhood Plan Implementation Committee should be responsible for approaches in the Durand Neighbourhood;
  - (ii) a pilot project should be selected by the Durand Neighbourhood Plan Implementation Committee;
  - (iii) the possibility of establishing a heritage district should be considered;
  - (iv) the right of the owners of adjacent properties to build up to the heights to which they are now entitled would not be affected and, that the matter be referred by the Planning and Development Committee to the Durand Neighbourhood Plan Implementation Committee.
- NOTE: The Planning Department, along with LACAC, will be responsible for clause (iii).
- 36) That the following proposal "That the City increase the awareness of the owners of large underutilized parcels of land in the Central Area regarding the fact that the City supports the development of many such sites for high density housing, and is willing to adopt a flexible approach to development in order to meet this objective." be considered as part of the proposed Housing Intensification Study and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 37) That sufficient staff be made available to undertake the initiatives outlined in this report, and to speed up the processing of development applications and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.

- 38) That the following recommendation be tabled until the Planning Department considers the proposal from John Parente and bring back a report to the Planning Committee on both matters.

"that a committee, similar in make-up to the High Density Residential Study Advisory Committee, be set up to review background material and make recommendations on rent review matters for consideration by the City".

- 39) That the Province be recommended to provide guidelines in consultation with municipalities for dealing with the applications under the Rental Housing Protection Act and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 40) That the City pass a resolution urging the Province to provide the private market with more incentives for private rental housing particularly in the Central Area where land prices are high and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 41) That the City pass a resolution to urge the Province to provide funds to allow the development of small, well designed, well built housing developments that "fit" into the neighbourhood and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 42) That the City pass a resolution asking the Province to provide funds for community relations programs within the non-profit housing programs and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 43) That the City pass a resolution urging the Federal Government to raise "Maximum Unit Prices" and that a review be undertaken every six months to reflect rising costs and that the matter be referred by the Planning and Development Committee to the Planning and Development Department.
- 44) That the Planning and Development Department draw up development guidelines to enhance crime prevention.
- b) That the City report to the Ministry of Municipal Affairs that the study is complete and request that the remaining portion of the grant money (\$5,000) be forwarded.

  
V. J. Abraham, M.C.I.P.  
Director of Local Planning



COUNCIL ENDORSATION OF THE RECOMMENDATIONS WAS A REQUIREMENT OF THE PROVINCIAL GRANT. FURTHER ACTION NEEDS TO BE TAKEN ON EACH OF THE RECOMMENDATIONS (APART FROM RECOMMENDATION 17 AND 23) BEFORE COMING TO COUNCIL.

THE PACKAGE OF BACKGROUND MATERIAL INCLUDING BACKGROUND REPORT, MINUTES OF MEETINGS AND OTHER INFORMATION IS AVAILABLE FROM SUSAN REEDER, SECRETARY, PLANNING AND DEVELOPMENT COMMITTEE. TELEPHONE: 526-2753.

### FINANCIAL IMPLICATIONS

A number of studies and other actions have been recommended for the Planning Department. Once the studies are determined staff will bring back a report showing ways by which the studies could be undertaken and the alternative financial implications.

### BACKGROUND

- o In April 1987, the Planning and Development Committee authorised commencement of the High Density Residential Study with with a 50% grant from the Ministry of Municipal Affairs. The objectives of the study, taken from the Central Area Plan, were:
  - significantly increase the number of people living in and around the downtown and provide a variety of housing choices for a mix of household types and incomes.
  - encourage new buildings that create an attractive environment in terms of safety, micro-climate and human scale.
  - place greater emphasis on heritage conservation and integration of new development into the fabric of the neighbourhood.
- o In November 1987, a background report was completed which included:
  - factual information relating to high density residential development.
  - analysis of information.
  - possible options for modifying policies and regulations and other City initiatives.
- o In January 1988, an advisory committee was established (Appendix 1) and met 11 times to produce a series of recommendations.
- o On April 11, 1988 and May 12, 1988 public meetings were held.
- o Background material was circulated separately to each Council member and is available in the Planning Department.

- o On June 8, 1988, the Planning and Development Committee considered the matter and asked that the Department revise recommendations to establish the process for dealing with each item.

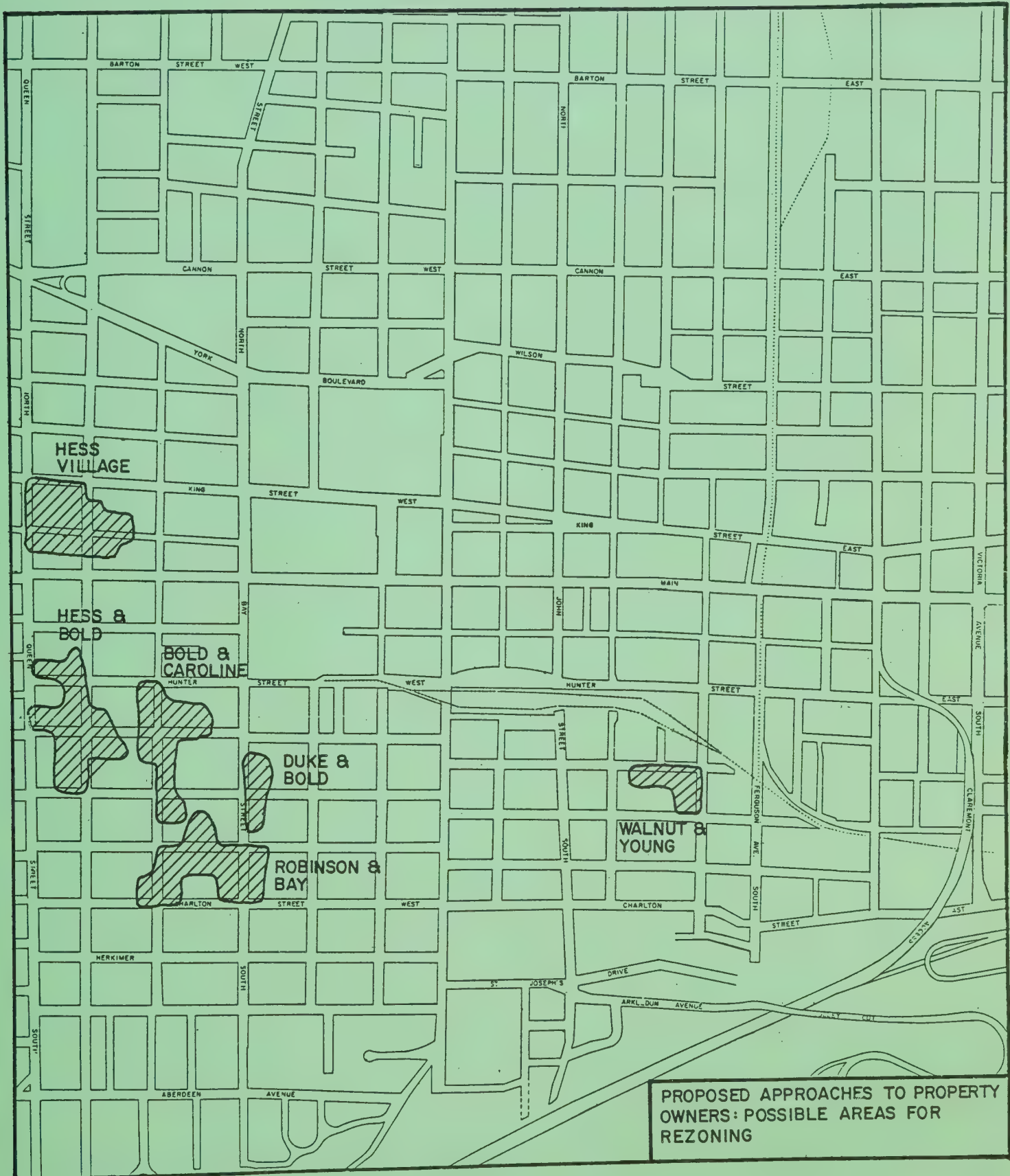
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WP 0315P



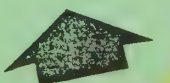


# MAP 1



D-32

HIGH DENSITY RESIDENTIAL STUDY





## Housing Intensification Study

### Terms of Reference

#### 1. INTRODUCTION

The terms of reference form part of a proposal to the Ministries of Housing and Municipal Affairs for a grant application. The terms of reference cover:

- Objectives of the Study;
- Study Approach;
- Public Participation and Technical Support; and,
- Study Timing and costs.

A background report addressed to the Planning and Development Committee is contained in Appendix A.

#### 2. OBJECTIVES OF THE STUDY

- to provide background information and analysis on housing intensification as a basis for developing strategies;
- to determine the appropriateness of housing intensification;
- to develop a series of strategies for housing intensification as a basis for appropriate recommendations; and,
- to implement housing intensification strategies where appropriate.

#### 3. STUDY APPROACH

The study will be undertaken in the following phases:

Phase 1 (BACKGROUND) will record current trends relating to housing intensification, needs and demands, existing planning policies and controls both in the City and other municipalities, and examine current housing intensification initiatives.

Phase 2 (ANALYSIS) will analyse the material from the background phase to establish the potential and constraints for housing intensification.

Phase 3 (STRATEGIES) will develop a series of appropriate strategies for housing intensification by examining options and impacts.

Phase 4 (IMPLEMENTATION) will deal with implementation of the strategies.

#### PHASE 1 (BACKGROUND)

- affordability trends including price of housing, rentals, mortgage rates, incomes and cost of living indexes. Sources: Stats Canada, CMHC, Real Estate Board.
- review trends in household make-up and formation. Source: 1988 Assessment.
- losses and gains in residential stock through intensification and deintensification by neighbourhood. Source: 1988 Assessment.
- review household projections and current demand for types of dwelling produced through intensification. Source: Municipal Housing Statement Survey and Regional population and household projections.
- review current policies affecting housing intensification in the Official Plan, Neighbourhood Plans and other policy documents.
- review zoning by-law as it relates to housing intensification including site specific amendments and variances, conversions, low and medium density zoning, strip and suburban commercial parking.
- review current regulations affecting intensification e.g. - Building Code.
- review current programs related to intensification.
- review current and recent studies mentioned in Appendix "A" and their findings and status.
- review related literature including Affordable Home Ownership Charrette by the Toronto Home Builders Association, In Your Neighbourhood, by Lewinburg Consultants, Housing Intensification report No. 4 by the Metro Toronto Planning Department and Parking and Accessory Apartments by Marshall Macklin, Monaghan Provincial Guidelines on Housing Intensification and other relevant publications.
- review policies and controls in other municipalities.
- meet with Ministry officials and others involved in housing intensification to record current ideas and initiatives.

#### PHASE 2 (ANALYSIS)

- analyze policies and controls in other municipalities.
- analyse the existing affordability situation in relationship to the past.



- analyse the existing potential for housing intensification using the projected demand from changes in household nature and projected supply.
- analyse the current policies and whether they address present housing intensification needs.
- analyse the impediments to housing intensification in the control mechanisms including zoning by-law, building code, other regulations.
- analyse the applicability of various initiatives and ideas to Hamilton.
- analyse the need to implement current strategies.

A background document will be prepared to cover background and analysis.

#### PHASE 3 (ISSUES AND STRATEGIES)

- identify issues around parking, traffic, overcrowding, impacts on streetscape, social aspects, impact on services, maintenance value, etc.
- develop strategy options using background and analysis.
- assess impact of various strategy options.
- recommend appropriate strategies and identify implementing groups.
- meetings with key groups and agencies will be held. A workshop and public meeting will be held. Outstanding issues will be resolved.

#### PHASE 4 (IMPLEMENTATION)

- carry out the necessary strategies. For example - policy changes, changes to the zoning on a general or areawide basis, educational initiatives, home sharing demonstration projects, etc.
- a public meeting of the Planning and Development Committee will be held. Council will endorse appropriate proposals.

#### PUBLIC PARTICIPATION AND TECHNICAL SUPPORT

The study will be undertaken by the Hamilton-Wentworth Region Planning and Development Department who advise the City of Hamilton on planning matters. Part of the study will be funded (about \$20,000) by the City through their annual planning budget. The remaining part will be funded through a \$12,000 grant from the Ministry of Housing and about a \$50,000 grant from the Ministry of Municipal Affairs. City money will be used to provide allocations for in-house staff and administrative services. The Manager of the Neighbourhood Section will co-ordinate the study. The Director of Local Planning and the Managers of the Development and Policies Sections will participate throughout the study.

Ministry money will be used to hire planning staff to carry out the work and to produce publications.

A technical steering committee will be set up and include:

- a representative from the Ministry of Housing;
- a representative from the Ministry of Municipal Affairs;
- a representative from the Region of Hamilton-Wentworth Planning and Development Department;
- a representative from the Region of Hamilton-Wentworth Housing Policy Group;
- a representative from the Community Development Department;
- Director of Local Planning; and,
- a representative from the Social Planning Council.

The Steering Committee will meet approximately 10 times during the study.

The Traffic, Building and other Departments will be invited when appropriate. The study will include meetings with key groups and agencies throughout the process. Interested groups will be kept informed through notices, minutes and information packages. The study will also include a workshop and public meeting during Phase 3 to refine strategies. Workshop participants will include politicians and representatives from the concerned groups:

- Hamilton Real Estate Board;
- Chamber of Commerce;
- Central Area Plan Implementation Committee;
- Hamilton and District Home Builders Association;
- Neighbourhood Associations.
- Social Housing Action Committee (a sub-committee of the Social Planning and Research Council concerned with affordable housing)

DG/dkp/cs

WP 0021P

# HOUSING INTENSIFICATION STUDY

## Staffing and Costs

Phase 1	BACKGROUND	Days	Cost \$
	Director	2	600
	Manager	5	1,190
	Planner 1	10	1,890
	Planner 3	60	9,240
	Student	60	8,100
		<u>137</u>	<u>21,020</u>
Phase 2	ANALYSIS		
	Director	2	600
	Manager	10	2,380
	Planner 1	25	4,725
	Planner 3	25	3,850
		<u>97</u>	<u>11,555</u>
Phase 3	STRATEGIES		
	Director	3	900
	Manager	15	3,570
	Planner 1	40	7,560
	Planner 3	40	6,120
		<u>98</u>	<u>18,150</u>
Phase 4	IMPLEMENTATION		
	Director	3	900
	Manager	10	2,380
	Planner 1	50	9,450
	Planner 3	50	7,700
		<u>113</u>	<u>20,430</u>
		<u>445</u>	<u>71,155</u>
Cartographic/Technical Support			5,000
Printing/Secretarial/Administration			<u>7,000</u>
			<u>\$12,000</u>
TOTAL			<u>\$83,155</u>





CITY

OF

HAMILTON

ONTARIO  
HYDRO  
CORRIDOR

CONCESSION 1

LOT 5

KINGS  
HIGHWAY  
No 6

131m (430')  
70m (230')

ALDERLEA AVE.

LOT 6

ALDERCREST AVE.



# TOWNSHIP OF GLANBROOK

## FIGURE 1

Appendix "B" as referred  
to in Section 21 of the  
SIXTEENTH Report for 1988  
of the Planning and  
Development Committee.



LANDS SUBJECT TO OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS

FILE No:

SCALE:

DATE:

DRAWN BY:

HW/G/344

1:5000 m

06/88

M.C

**MAY, PIRIE & ASSOCIATES LIMITED**  
COMMUNITY PLANNING & DEVELOPMENT CONSULTANTS  
3310 SOUTH SERVICE ROAD, BURLINGTON, ONTARIO  
L7N 3M5 (416) 632-4066



T-10/S  
539

AA

SITE PLAN CONTROL  
BY-LAW 82-220

H/  
S-331

THE CHURCH  
OF JESUS CHRIST OF  
LATTER-DAY SAINTS

1301

STONE CHURCH ROAD EAST

C

AA

2

1

R-4

C

BEAVERTON DRIVE

R4-H/S-1028

AA

AA/S-684

Appendix "F" as referred  
to in Section 22 of the  
SIXTEENTH Report for 1988  
of the Planning and  
Development Committee.

DULGAREN

AVENUE  
ELEANOR

### LEGEND

BLOCK 1

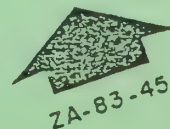


CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO  
"G-1" (DESIGNED SHOPPING CENTRE) DISTRICT.

BLOCK 2



CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL, ETC.)  
DISTRICT TO "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT.



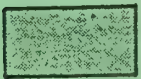
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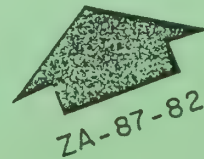


## LEGEND

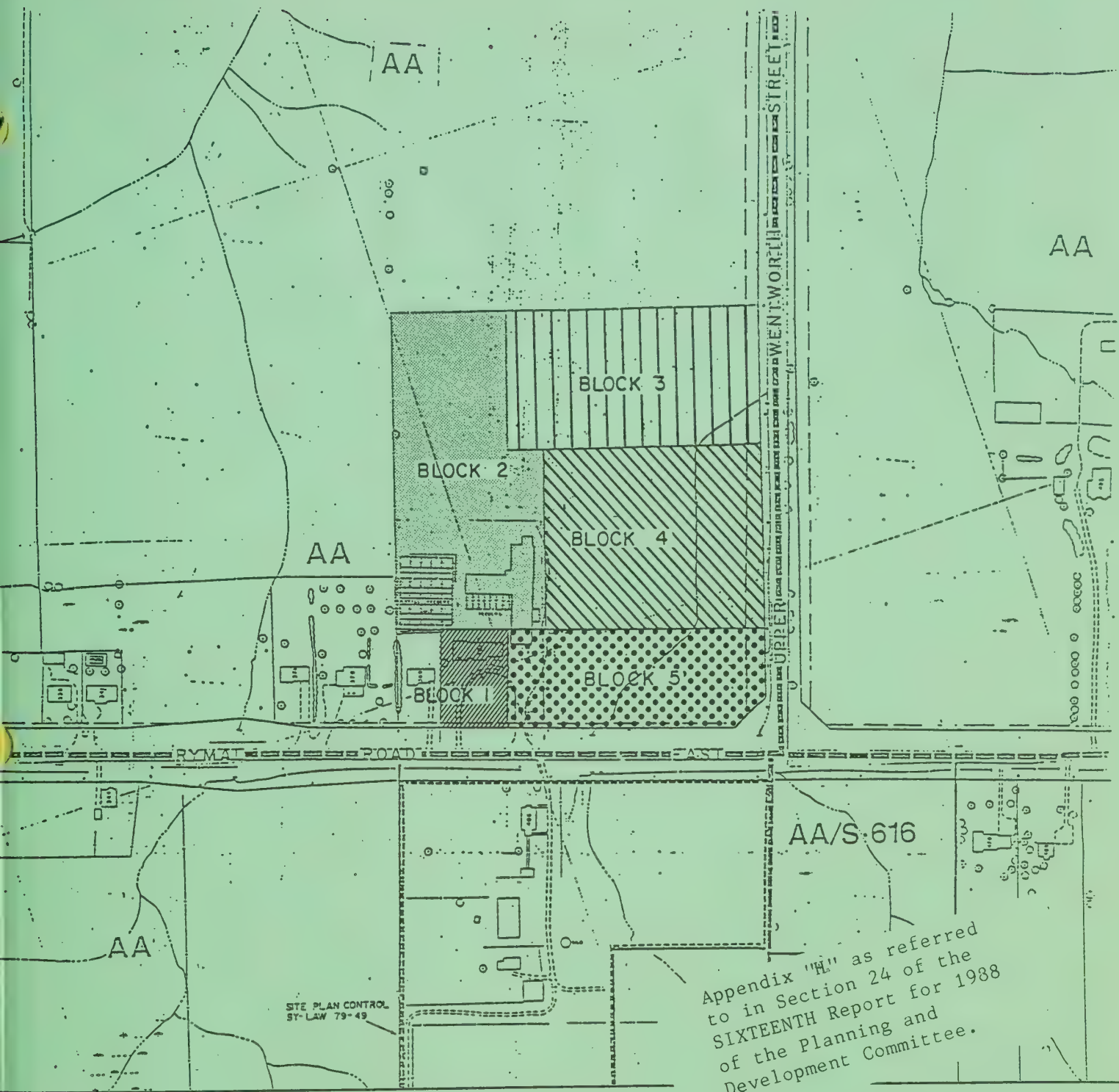


SITE OF THE APPLICATION

Appendix "G" as referred  
to in Section 23 of the  
SIXTEENTH Report for 1988  
of the Planning and  
Development Committee.








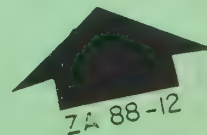




### LEGEND

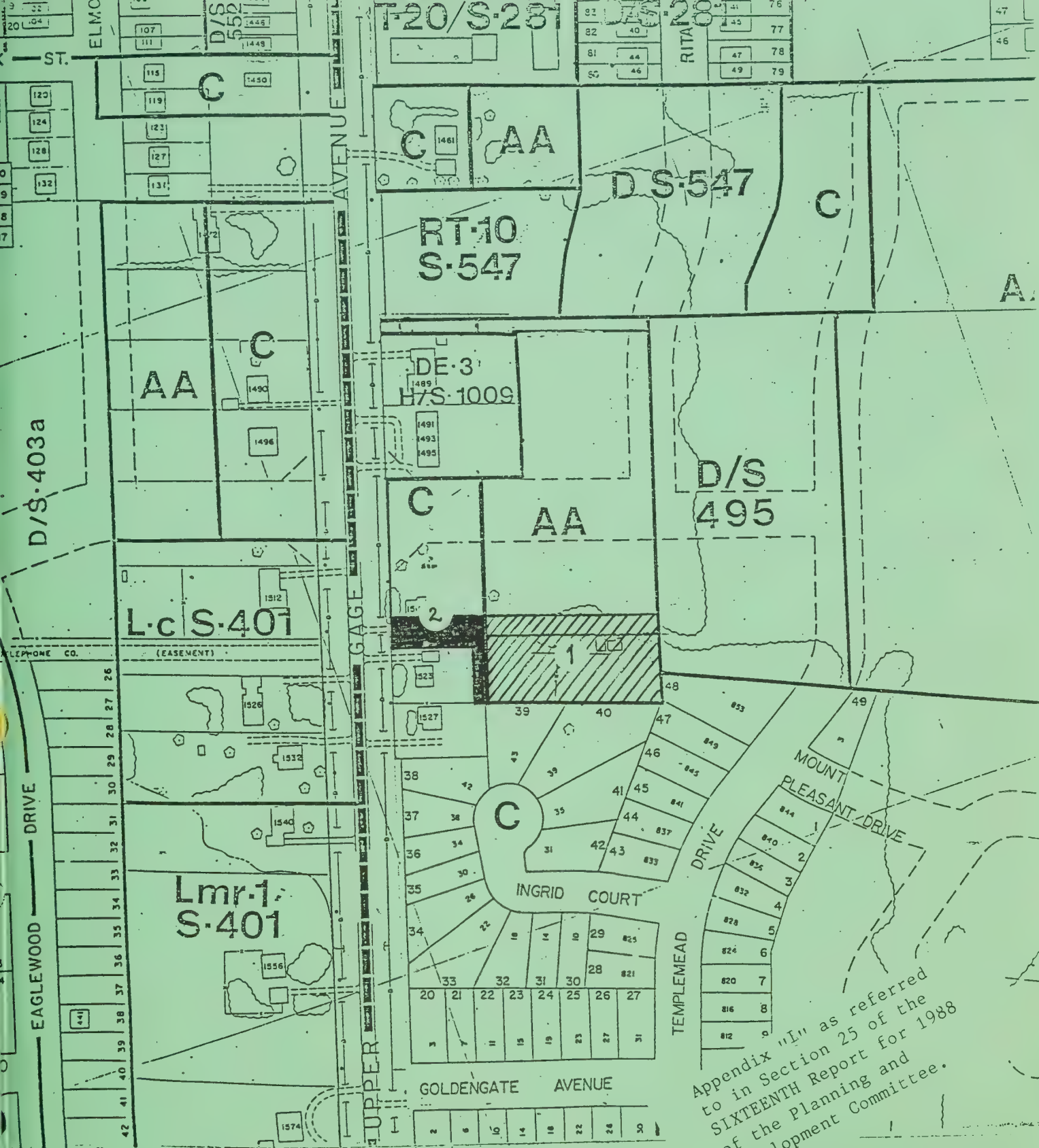
PROPOSED CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:

- |         |   |   |
|---------|---|---|
| BLOCK 1 |  | "D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, TOWNHOUSES ETC.) DISTRICT. |
| BLOCK 2 |  | "RT-20" (TOWNHOUSE - MAISONETTE) DISTRICT.  |
| BLOCK 3 |  | "RT-30" (STREET - TOWNHOUSE) DISTRICT.  |
| BLOCK 4 |  | "E-2" (MULTIPLE DWELLINGS) DISTRICT.  |
| BLOCK 5 |  | "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT.  |









# LEGEND



CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "RT-20" (TOWNHOUSE-MAISONNETTE) DISTRICT.

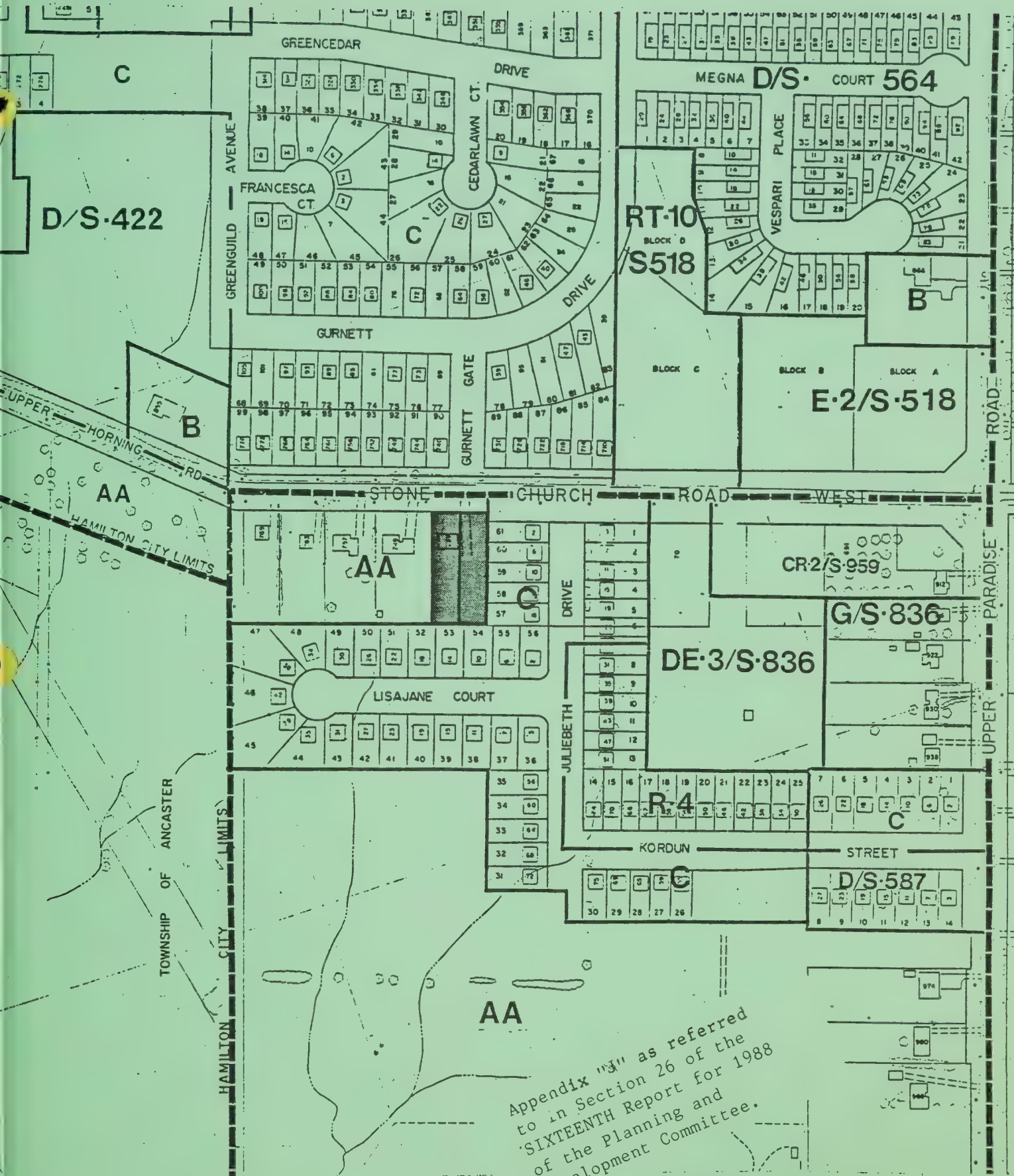


CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "RT-20" (TOWNHOUSE-MAISONNETTE) DISTRICT.

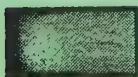
Appendix "I" as referred to in Section 25 of the SIXTEENTH Report for 1988 of the Planning and Development Committee.

↑  
ZA 88-30





# **LEGEND**



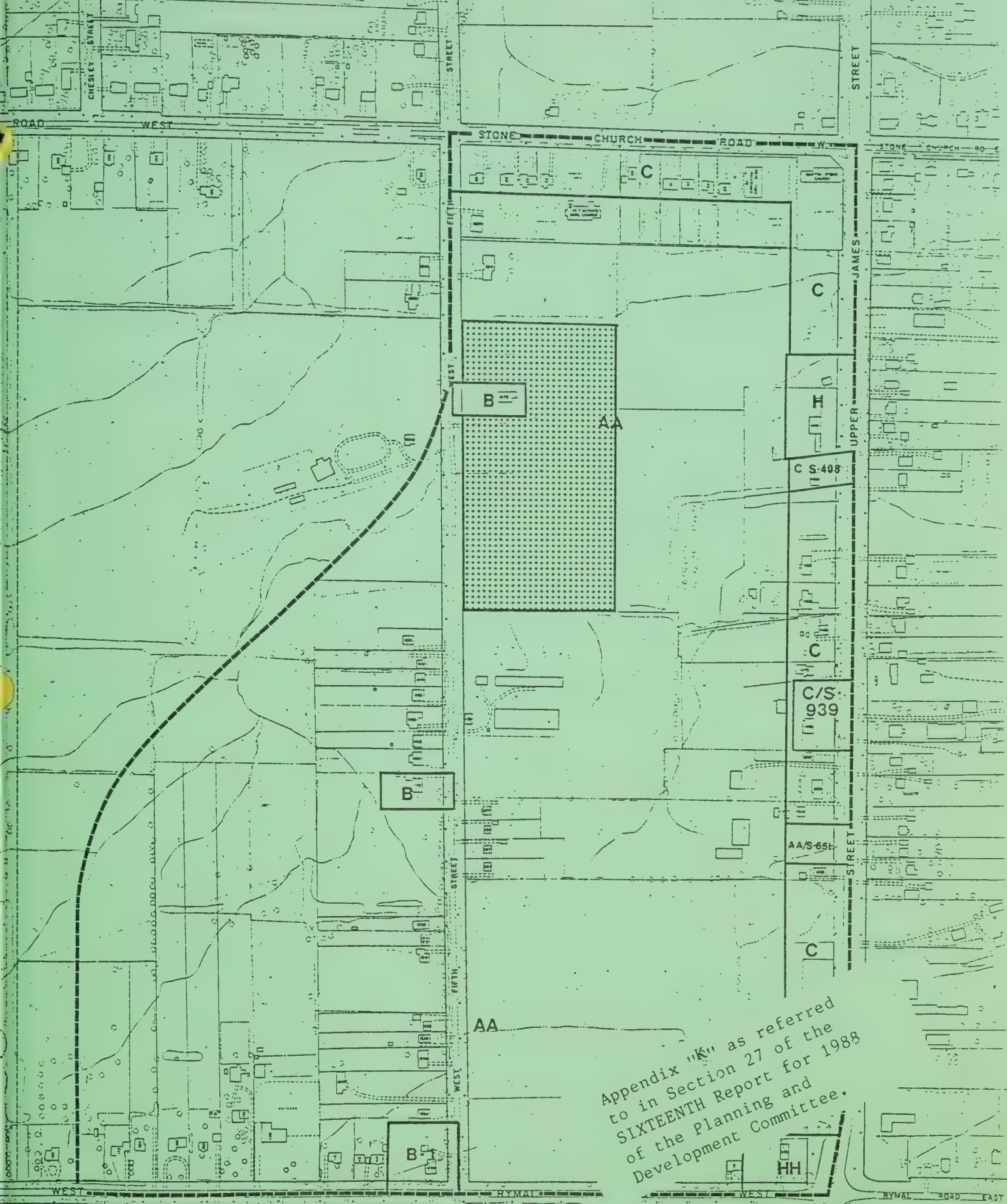
**SITE OF THE APPLICATION**

Appendix "3" as referred  
to in Section 26 of the  
SIXTEENTH Report for 1988  
of the Planning and  
Development Committee.









Appendix "K" as referred  
to in Section 27 of the  
SIXTEENTH Report for 1988  
of the Planning and  
Development Committee.

# LEGEND

SITE OF THE APPLICATION

ZA-88-36









## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its NINTH Report for 1988 and respectfully recommends:

1. That the Smoking Control Program, which is scheduled to expire on 1988 August 01, be continued for another year and then reviewed.

**Note:** Although provision has not been made in the 1988 Current Budget Estimates to finance the cost of this extension, the Legislation Committee has requested the Deputy City Clerk to investigate the possibility of financing this cost from within the present budget of the City Clerk's Department through identifying savings that have occurred or other expenditures that have been or will be reduced or deleted.

2. That a purchase order be issued to Moore Business Forms, Burlington in the amount of \$16 668.24 for the supply and delivery of Voter Notification forms in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

**Note:** Lowest of two (2) tenders received. Funds provided in Election, Office Supplies and Stationery Account No. 0322-0321.

3. That the City Solicitor be authorized and directed to prepare a by-law to amend Section 707-3(b)ix of Health By-law No. 4798 by deleting the words "the neighbourhood" in the last line and substituting in lieu thereof the words "a neighbour".

**Note:** The Courts have decreed that, for the purpose of giving evidence as a witness with respect to disturbing noises, not less than 3 neighbours constitutes a neighbourhood. At the present time, 3 people in a neighbourhood are required to testify as witnesses in court before charges can be laid under this section of the Health By-law.

In its amended form, Section 703-3(b)ix will read as follows:

"No person shall cause or permit the keeping of birds or animals the noise of whose crowing, cries, barking or other such sounds disturb the peace and comfort of a neighbour."

4. (a) That approval be given for use of the City Coat of Arms in the Adopt-A-School partnership logo, a copy of which is attached hereto as APPENDIX "A".
- (b) That approval be given to fly the "Partner in Education" flag at City Hall for the two year duration of the partnership with Westmount Secondary School.
- (c) That approval be given to purchase a Partners in Education flag and to print program invitations for the official kick-off ceremonies to be held on 1988 September 27 at a cost of \$200. and that these expenditures be charged to Receptions City Hall Account No. 0373-1002.

Note: In November, 1987, the Region of Hamilton-Wentworth and the City of Hamilton agreed to enter into a partnership with Westmount Secondary School as part of the Industry Education Council's Innovative Partners in Education, Adopt-A-School Project. The purpose of the programme is to promote greater awareness and involvement between area high schools and the community.

5. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the Hamilton Yacht Club on the occasion of the Lake Yacht Racing Association racing event to be held at the Hamilton Yacht Club from 1988 July 29 to August 06.
6. That permission be granted for the Status of Women Sub-Committee to use meeting rooms 264, 219, 233 and the Council Chambers from 8: a.m. to 5 p.m. on Saturday, 1988 September 24 for a workshop on "Grass Roots Involvement in a Municipal Election".

Note: The purpose of the workshop is to promote a greater awareness and involvement in the municipal election process.

Funds required to cover the cost of the workshop are available from within the present budget of the Status of Women Sub-Committee.

7. That permission be granted to the 6th Canadian National Square and Round Dance Convention Inc. to square dance in the forecourt of City Hall from 12:00 noon to 1:00 p.m. on Thursday and Friday, 1988 August 04 and August 05 on the occasion of the Square and Round Dance Convention to be held in the City of Hamilton.
8. That permission be granted to the Canadian Cystic Fibrosis Foundation to use Committee Meeting Room 233 to hold a press conference at 11:00 o'clock a.m. on Thursday, 1988 September 15 to announce Shinerama 1988, 25th Anniversary.
9. That permission be granted to LACAC to exhibit a display board in the City Hall foyer showing the Heritage buildings adjacent to Hamilton's Waterfront.
10. That approval be given to fly the Ukrainian flag at City Hall as well as place an Icon display in City Hall from 1988 August 12 to August 14 on the occasion of the world-wide Ukrainian Orthodox Millennium Celebrations to be held in the City of Hamilton 1988 August 13 and August 14.
11. That permission be granted to the Mum Show Committee of the City of Hamilton to set up a table and telephone in the City Hall foyer from 1988 October 17 to October 21 to receive calls during "Mum Count Week".

Note: The Mum Show Committee is planning a "Mum Count Week" October 17 to October 21. They will be urging people throughout the City to call in with a count of Mum blooms in their gardens. With the 60 000 blooms at the Mum Show, November 05 to November 20 and those in City Parks, they anticipate a count of well over one million giving the City the well-earned title of "Mum Capital of Canada".
12. That the Hamilton Tai Chi Association be authorized to use the City Hall forecourt on Sunday, 1988 August 28 from 10:00 a.m. to 11:00 a.m. for a demonstration of Taoist Tai Chi.

Note: The Taoist Tai Chi Society of Canada, a registered charitable organization, will be holding National Taoist Tai Chi Awareness Day on Sunday, 1988 August 28 to promote Taoist Tai Chi in conjunction with a fundraising drive for the United Way. Tai Chi is a centuries old Chinese exercise.

13. That permission be granted to the Palestinian Association of Hamilton and the Hamilton Canadians Concerned for the Middle East to use the City Hall forecourt on Wednesday, 1988 August 10 from 9:00 a.m. to 10:00 a.m. for a candlelight vigil to pay tribute to the 275 people who have lost their lives in the seven month old Palestinian uprising.
14. (a) That approval be given to the request of the Hamilton and District Labour Council for the City to erect a reviewing stand on the west side of Locke Street, midway on the grounds of Victoria Park, for the annual Labour Day Parade on Monday, 1988 September 05.
- (b) That funding for staff time be charged to Account No. 0321-0760.
- (c) That the request of the Hamilton and District Labour Council to fly the Canadian Labour Council flag at City Hall from 1988 September 05 to September 10, be approved.
15. That the City of Hamilton support the following recommendations of the Metropolitan Toronto Police Department to amend Section 195.1 of the Criminal Code (Canada) regarding Street Prostitution:
- (a) That this offence be changed from a Summary offence, to a hybrid offence, but within the absolute jurisdiction of a provincial court judge.

Note: This would allow the police to fingerprint and photograph those persons charged with this offence. It is our experience that people involved in this type of offence change their names upon arrest more than any other type of offender. The proper process of Bench Warrants and Fail to Appear offences is bogging down because of the lack of identification. Further, the problem of runaway children who change their names to avoid apprehension is common.



- (b) That there be a minimum sentence for offenders with a mandatory period of incarceration imposed upon a third conviction.

**Note:** The need for a minimum sentence is quite obvious. The high percentage of repeat offenders indicates that present sentencing is having little effect on the problem.

- (c) That an addition to Section 195.1 of the Criminal Code be made allowing for the power to charge offenders where the officer believes on "Reasonable and Probable Grounds" that the offence is being committed.

**Note:** This legislation in its present form is only enforceable when the police use undercover decoys to charge suspects. This not only places great strain on the use of plainclothes police officers, but it does not allow for effective use of uniformed officers. Ideally this type of street problem should be controlled by uniformed foot patrol officers. Their presence in the first instance should deter the offender. If, however, she/he persists with this conduct, then the officer should have the power of arrest based on the officer's knowledge of the suspect (that she/he is a known prostitute) coupled with observations of the accused stopping numerous cars and/or pedestrians, thereby constituting reasonable and probable grounds that she/he was unlawfully soliciting.

Although the Force is maintaining its high level of enforcement, the problem continues. Citizen groups continue to express concerns about this criminal activity and they continue to request action which will produce more positive results.

16. That the following resolutions be endorsed:

- (a) City of Cambridge

THAT the Province of Ontario be petitioned to enact enabling legislation to allow municipalities to regulate and/or prohibit the sale of toy guns which are replicas of real weapons;

AND THAT this Resolution be forwarded to the area Members of Provincial Parliament, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, all municipalities with populations over 50 000 and the Federal Member of Parliament.

(b) City of Toronto

- (i) That City Council advise the Premier of Ontario of its opposition to the passing of Bill 119.
- (ii) That City Council request the Provincial Government to have this Bill sent back to the Committee prior to second reading, to allow the Mayor, members of Council, the Commissioner of Parks and Recreation and any other appropriate officials, to appear before the Committee to present a position paper, outlining the importance of physical fitness, sports, recreation and cultural activities and facilities to Ontarians;
- (iii) That the Mayor, members of Council, the Commissioner of Parks and Recreation and other appropriate officials appear before the Parliamentary Committee to express the City's concern with this amendment;
- (iv) That these recommendations be circulated to all Ontario municipalities for endorsement;
- (v) That these recommendations be forwarded to the Parks and Recreation Federation of Ontario for its information.

17. That no action be taken on the following resolution which has been forwarded to the City of Hamilton for endorsement and support by the Hamilton Action Committee of the Hamilton Disarmament Coalition which is planning a Nuclear Weapons Legal Action, an action seeking a federal court declaration that nuclear weapons are illegal under international law:

WHEREAS the Humanitarian Rules of Armed Conflict put into doubt the ability to fight a nuclear war while observing these rules;

AND WHEREAS under the Canadian Charter of Rights, the use of nuclear weapons is in direct opposition to our well being;

AND WHEREAS the Nuremburg Principles, proclaimed at the war crimes trials held at the end of World War II, condemned war crimes and crimes against humanity;

AND WHEREAS other Canadian Organizations are again preparing a test case for Canadian Federal Courts;

AND WHEREAS other Canadian Municipalities have endorsed this action as a means of public education on nuclear issues;

AND WHEREAS the City of Hamilton has, in the past, been very supportive of a number of peace issues, for example, held a referendum on disarmament in the 1982 civic election and declared Hamilton to be a nuclear weapons free zone in 1983;

THEREFORE we request Hamilton City Council to endorse the Nuclear Weapons Legal Action.

18. That the following resolutions from the Town of Oakville, be received:

(a) WHEREAS the Provincial Government has made non-profit low income housing and the provision thereof its number one priority; and

WHEREAS the Minister of Housing has indicated that unco-operative communities stand to jeopardize their government grants; and

WHEREAS the Provincial Government has in the past dictated future populations for communities within a set time frame through approval of their official plans,

THEREFORE let it be resolved that the Province of Ontario be requested to provide those funds through direct grants, subsidies and/or supplementary subsidy as required by those municipalities to provide the infrastructures needs ie. transportation, roads, schools, water, sewer, recreation facilities etc. which are required to serve an expanding population and further the Province of Ontario work in a co-operative manner to assist Ontario municipalities and reverse the current philosophical trend which appears to be taking shape in municipal relations.

- (b) WHEREAS the Province of Ontario has an expressed interest in the preservation of Ontario's Heritage; and

WHEREAS a lot of dedicated volunteers are attempting to assist the Province by acting as the vehicle to facilitate recommendation of restoration work eligible for Designated Property Grants; and

WHEREAS eligibility of those grants to the citizens owning heritage properties is now being directly related to compulsory attendance of those volunteers at Provincial seminars,

THEREFORE be it resolved that the Province of Ontario be requested to reverse the emerging current philosophical trend which appears to be taking shape in the relationship developed with the volunteer section, Municipal Council and the Provincial Government as it relates to preservation of Ontario's Heritage.

19. That a gold civic ring be awarded to Ms. Susan Stewart in recognition of receiving a gold medal in the World Surf Rescue Championships held in Australia in April 1988.
20. That the City Solicitor be authorized and directed to prepare a by-law to amend Market By-law No. 81-180 to provide for the sale of Bulk Pet Food at the Hamilton Farmers Market.
21. That leave be granted to introduce the following Bills:
- (a) Bill E-10 By-law to Amend Procedural By-law No. 82-203 Respecting Council Meetings.
  - (b) Bill E-11 By-law to Repeal By-law 85-243 Respecting Election Contributions and Expenses.
  - (c) Bill E-12 By-law to Amend Market By-law No. 81-180 Respecting the Sale of Pet Food.



(d) Bill E-13

By-law Respecting Smoking in the Workplace.

**Note:** At its meeting held 1988 April 26, City Council, in adopting Section 1 of the Sixth Report of the Legislation Committee authorized the City Solicitor to prepare a by-law to regulate smoking in the workplace in the private sector and that a public forum be held on the proposed by-law for input. The second draft of the proposed by-law was introduced to the Legislation Committee at its meeting of 1988 June 20.

It was tabled, pending referral to a public forum.

A public meeting was held 1988 June 29 to consider the proposed by-law in its second draft form.

As a result of input received at the public meeting and a review of Bill C-204, An Act to Regulate Smoking in the Federal Workplace, some changes were made to the draft proposed by-law.

At the meeting of the Legislation Committee on 1988 July 18, the final draft of the proposed by-law was approved in principle with some minor revisions.

It will be necessary to obtain private provincial enabling legislation before this proposed by-law may be given third and final reading and enacted.

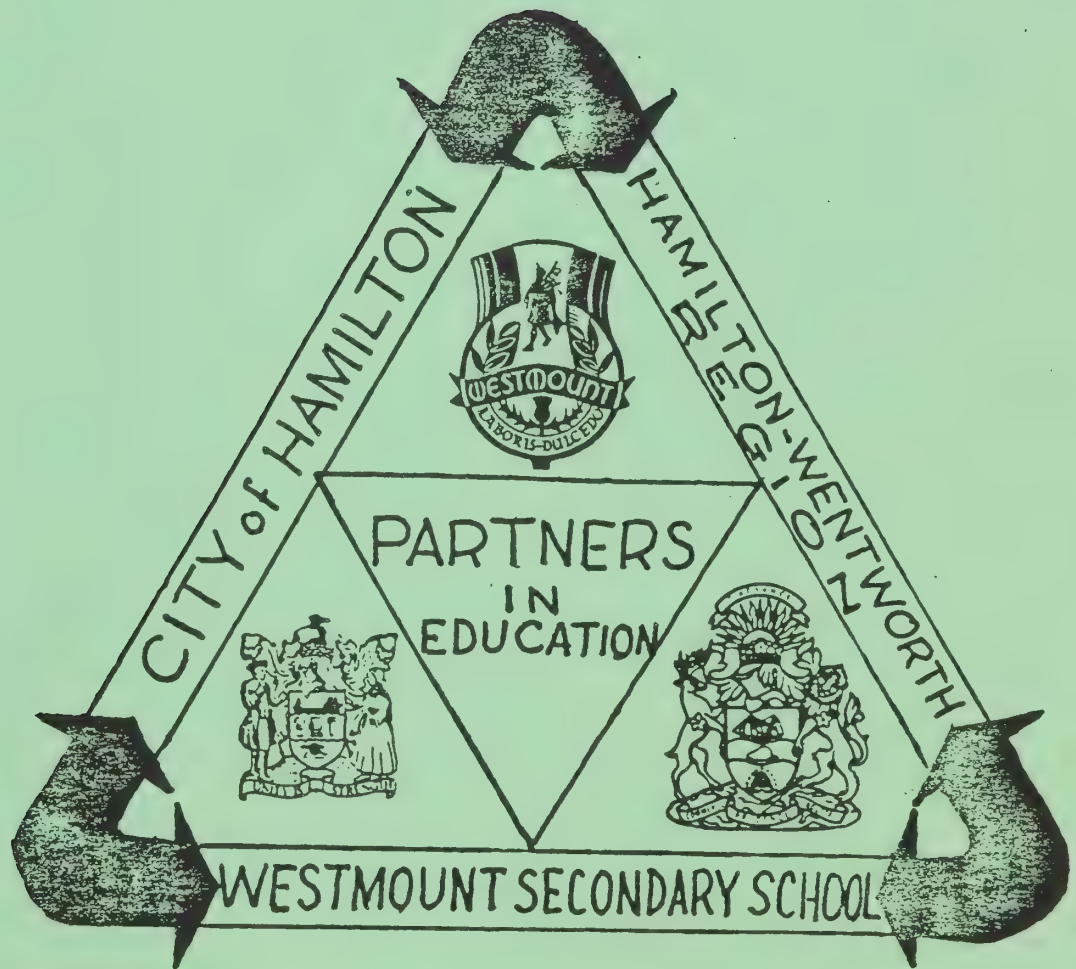
Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

John Thompson, Secretary  
1988 July 18

mjlw





APPENDIX "A" as referred  
to in Section 4 (a) of the  
NINTH Report of the  
Legislation Committee









REPORT OF THE PERSONNEL COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its NINTH Report for the 1988 and respectfully recommends:

1. That a purchase order be issued to Safety Supply Canada, Richmond Hill in the amount of \$26 382 plus applicable taxes for the supply and delivery of Fire Hose for the Hamilton Fire Department in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation and that this be financed from Account No. 0341-0173 - Replace Hose and Related Equipment Account No. 0341-0173.

NOTE: Lowest acceptable of nine (9) quotations received.

2. (a) That an additional estimated amount of \$28 400 be provided in the advertising account of the Human Resources Centre (City) to cover a present over-expenditure of \$8 400 and an anticipated \$20 000 advertising expenditure to year end.
- (b) That the originating department or board incurring any future advertising expenses in 1988 demonstrate to the Human Resources Centre that they have achieved equal savings in their accounts by an appropriate delay in hiring of the advertised position.
- (c) That the Finance Committee recommend the method of financing.

NOTE: The Human Resources Centre accounts (City) have been examined and it has been determined that no funds are available from other programs or savings to offset the anticipated expenditures to year end.

The City's contingency account has been depleted. The present advertising appropriation of \$14 180 would be increased to \$42 580 on approval of the above recommendation. The additional \$28 400 required would be offset by savings in individual departmental accounts.

3. That the classification of the new position of Licence Inspector/Mechanic within the Licence Division of the City Clerk's Department be implemented within the City of Hamilton C.U.P.E. Local 167 Administration Unit at Salary Schedule A-9:

Salary Schedule A-9: \$27 129.98 to \$32 490.64 per annum.

4. That the following positions in the City Treasury Department be reclassified in accordance with the findings of the City Evaluation Committee, effective January 1, 1987.

Assistant Supervisor of Pensions	- To Level "M" \$32 604 to \$38 364
Accounts Analyst III	- To Level "M" \$32 604 to \$38 364
Assistant Supervisor of Accounts Payable	- To Level "N" \$30 320 to \$35 755

NOTE: The above three positions were not included in the original Job Evaluation Study for non-union employees. As a result, they were recently reviewed by the City Evaluation Committee which proposed that they be placed in the levels recommended above.

5. That effective July 4, 1988 one of the five Building Engineers' positions in the Building Department be reclassified to the position of Chief Building Engineer at Level "I" of the Non-Union Salary Schedule.
6. That the Appointments to and Terminations from both Permanent Positions with the The Corporation of the City of Hamilton to 1988 July 6th, as set out in the pages attached hereto and marked Appendix "A", BE APPROVED.

RESPECTFULLY SUBMITTED

ALDERMAN M. KISS  
CHAIRPERSON  
PERSONNEL COMMITTEE

1988 July 20  
John Thompson  
Acting Secretary  
JDT/dg



Schedule "A"  
referred to in  
Section 6 of  
the Ninth Report  
of the Personnel  
Comm. for 1988

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Leonard Cocomazzi	Tree Climber (D-9)	Public Works	replacing Mr. P. Lecompte - transferred	\$12.192 to \$12.392	\$12.392 per hour (2 of 2)	May 30, 1988
Mr. Charles Destro	Concrete Finisher (Districts) (D-8)	Public Works	replacing Mr. C. Mattina - resigned	\$12.128 to \$12.328	\$12.128 per hour (1 of 1)	June 6, 1988
Mr. John Allan Gamble	Property Officer (A-9(a))	Property	replacing Ms. Irene Taravski - promoted	\$533.06 to \$635.59	\$635.59 per week (5 of 5)	June 13, 1988
Mr. Roman Hrynuk	Systems Analyst (A-18)	Treasury	replacing Mr. Ross Robertson - retired	\$832.31 to \$991.41	\$865.55 per week (2 or 5)	June 13, 1988
Mr. Gary R. Kirchknopf	Legislative Technologist (A-12)	Traffic	replacing Mr. Martin White - promoted	\$588.12 to \$689.97	\$643.44 per week (3 of 5)	June 13, 1988
Mr. John F. Manta	Clerk Investigator (A-4)	Traffic	replacing Mr. Ward Howard - retired	\$422.70 to \$476.46	\$422.70 per week (1 of 5)	June 13, 1988
Mr. Scott McEwan	Equipment Mechanic II (D-11)	Public Works	replacing Mr. Christopher Turner - transferred	\$12.391 to \$12.591	\$12.591 per hour (2 of 2)	June 20, 1988
Ms. Elaine McLaren	Drafting Technician (A-9)	Traffic	replacing Ms. Lois Harvey - promoted	\$521.73 to \$624.82	\$568.24 per week (3 of 5)	June 20, 1988
Ms. Gail Lee Paradis	Stenographer IV (E-2)	City Solicitor's	replacing Ms. Christine Shepherd - promoted	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	June 13, 1988

Prepared 06 July 1988

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Brian Bishop	By-Law Officer	Traffic	Resigned	7 years, 3 months	July 8, 1988
Ms. Evelyn Buffett	Stenographer II	Building	Resigned	7 years, 8 months	June 24, 1988
Ms. Jean Faris	Executive Assistant	Hamilton Place (Div. of H.E.C.F.I.)	Retirement	12 years	June 30, 1988
Mr. Gordon Henderson	By-Law Officer	Traffic	Retirement	4 years, 10 months	June 30, 1988
Mr. Jon Jouppien	Curator	Dundurn Castle (Div. of Culture & Recreation)	Resigned	1 year, 5 months	June 30, 1988
Mr. D. Keddie	Garbage Loader	Public Works	Resigned	26 years	June 30, 1988
Mr. E. McCarthy	Labourer	Public Works	Resigned	12 years, 11 months	May 27, 1988
Mr. Mark Mehlenbacher	Firefighter	Fire	Resigned	2 years, 2 months	June 29, 1988
Mr. Paul Milan	Cement Finisher	Public Works	Unknown	3 days	June 2, 1988
Mr. Mark Ormond	Traffic Serviceman II	Traffic	Resigned	1 year 6 months	July 5, 1988
Mr. Anthony Sakalauskas	Firefighter	Fire	Resigned	19 years 7 months	June 19, 1988
Mr. M. Trigiani	Cement Finisher	Public Works	Termination	6 years, 2 months	June 24, 1988

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Stephen John Rea	Lieutenant (C-7)	Fire	replacing Capt. Stephen F. Morelli - promoted	\$43,881.02	\$43,881.02 per annum (1 of 1)	June 5, 1988
Mr. Craig Ruscinski	Operator Central Utilities (M-16)	Central Utilities Plant (Div. of H.E.C.F.I.)	replacing Mr. Robert Hamilton - promoted	\$15,000	\$15,000 per hour (1 or 1)	June 6, 1988
Ms. Lynne Tofani	Administrative Asst. IV (Q)	City Clerk's	replacing Ms. Stephanie Prpic - promoted	\$432.63 to \$509.96	\$432.63 per week (1 of 5)	July 4, 1988









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its TWELFTH Report for 1988 and respectfully recommends:

1. That a purchase order be issued to Jocelyn Roofing & Sheet Metal, Hamilton, in the amount of \$57 800. to replace the roof at Dalewood and Central Memorial Recreation Centres in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

**Note:** Lowest of three (3) quotations received. Funds provided in Maintenance to Civic Buildings, Re-roof Dalewood and Central Memorial Recreation Centres Account No. 0408-E45001.

2. (a) Joanne Forte, 1987 October 05

That the City pay the amount of \$1 450. as an all inclusive settlement of Joanne Forte's claim.

**Note:** This matter arises from an incident in which a City employee accidentally struck Ms. Forte in the face with the lid of a garbage can. The complainant suffered a cut to the left side of her face, requiring stitching, and missed several days from school. The complainant will also have a slight permanent scar.

Counsel for the City has negotiated a proposed settlement for the sum of \$1 450. broken down as follows:

General Damages

(\$2 000. minus 50% for contributory negligence)

Special Damages \$1 000.

Pre-judgment Interest \$ 200.

Legal Costs: Disbursements \$ 66.74

Fees \$ 180.

**TOTAL** \$1 446.74

(Which Counsel for the City agreed would be rounded up to \$1 450.)

Counsel for the City believes this to be a very good settlement as it is their opinion that few judges would award general damages, even after a discount for contributory negligence of less than \$2 000.

- (b) Silvana Angelone and Danilo Angelone vs. the City of Hamilton, 1984 November 09

That the City pay the plaintiffs \$30 092.88 in settlement of the plaintiffs' claims for damages, interest and costs.

**Note:** This action arises from an accident in which a City motor vehicle pulled out of the entrance to a shopping plaza and struck the plaintiffs' motor vehicle. Silvana Angelone suffered a sprain to almost her entire skeletal system. Ms. Angelone suffered and continues to suffer from headaches, neck, shoulder and neck pain and from a restriction of motion in her neck and shoulders and these problems are likely to be long term.



The solicitor for the plaintiff is prepared to accept the following offer:

<u>General Damages</u>	\$ 15 000.
<u>Special Damages:</u>	
Wage Loss	\$ 2 569.69
Miscellaneous including O.H.I.P.	\$ 2 773.25
<u>Pre-judgment interest</u>	\$ 6 249.94
<u>Party and Party Costs</u>	\$ 3 500.
<u>TOTAL</u>	<u>\$30 092.88</u>

Counsel for the City believes that this is a fair and reasonable settlement given the injuries suffered.

(c) Ester Iantomasi vs. the City of Hamilton, 1985 April 29

That the City pay the amount of \$3 000. as an all-inclusive contribution towards settlement of the plaintiff's claim.

**Note:** This action arises from an accident in which the plaintiff tripped in a pothole in a City sidewalk. The pothole was formed when the co-defendant, O'Brien Contracting cut a hole in the sidewalk to remove a pole. Although O'Brien Contracting shares the majority of responsibility for the fall, the City has a duty to inspect and repair its sidewalks.

Counsel for the City has negotiated a settlement for the sum of \$7 700. all inclusive for which the City would contribute \$3 000. and O'Brien Contracting \$4 700. This is a good result having regard to the injuries suffered by the plaintiff which includes a ligament injury to the ankle and back strain and pain which persisted for at least 2 1/2 years after the accident. Counsel for the City therefore recommends settlement.

(d) Gladys Entwistle and Kenneth Entwistle vs. The Corporation of the City of Hamilton

That the City pay the amount of \$7 500. as an all inclusive contribution towards settlement of the plaintiff's claim.

**Note:** This action arises from a fall suffered by Gladys Entwistle caused by a three quarter inch trip in a City sidewalk. As a result of the fall, Ms. Entwistle suffered traumatic tendonitis in her left shoulder causing a limitation of movement in that shoulder and pain and also an injury to her left knee. Although the knee injury has cleared, the injury to the shoulder does not show signs of improvement.

The plaintiffs have agreed to a settlement of their claims for the following amount:

<u>General damages</u>	\$ 4 500.
(\$ 9 000. reduced by 50% for contributory negligence)	
<u>Special damages</u>	\$ 1 023.54
<u>Pre-judgment interest</u>	\$ 979.10
<u>Costs</u>	\$ 975.40
<b>TOTAL</b>	<b>\$ 7 478.04</b>
(Rounded up to	<u><b>\$ 7 500.)</b></u>

The height of the trip in the sidewalk brings it within the range of actionable trips for which the City would be liable for some of the plaintiff's damages. Counsel for the City considers that the above recommendation is a fair and reasonable one given the extent of the plaintiff's ongoing injuries.

3. That the following signed authority limitations for processing claims settlements by outside solicitors prevail:
- (a) Director of Public Works and City Solicitor signing approval of up to \$5 000.
  - (b) Director of Public Works, City Solicitor and Chief Administrative Officer, signing authority between \$5 000. and \$10 000.
  - (c) Finance Committee and City Council, approval for over \$10 000.
  - (d) The settlement of all claims processed under (a) and (b) above to be reported to City Council for information.

**Note:** In order to expedite the settlement of claims by outside solicitors and save claim costs due to delays, it is being requested that the above recommendation be approved.

This procedure would also be beneficial during the summer months when the Finance Committee and City Council only meet once a month.

Presently the Director of Public Works has City Council approval to authorize up to \$5 000. in other accounts under his auspices as does the Chief Administrative Officer have City Council approval for amounts up to \$10 000. Accordingly, to cut "red tape" and expedite the work by outside solicitors, it is being recommended that these same approval limits pertain to the settlement of claims.

4. (a) That a convention/reception grant to the Hamilton-Wentworth Police Association in the amount of \$500. representing the park rental fees at Globe Park for the 1988 Denis H. Williams Slo-Pitch Tournament 1988 July 23 to July 24, be approved.
- (b) That this grant be funded from within the Grants Budget Account No. 0374-XXXX.

5.       (a) That the major repairs for Fire vehicles nos. 1645 and 1648 be approved in the amounts of \$15 570.85 and \$10 405. respectively for a total cost of \$25 975.85.
- (b) That the cost of these major repairs be financed from the Reserve for Major Repairs, Account No. 0280-03 and be added to the total cost of vehicles for depreciation purposes.
6.       That the Mayor and City Clerk be authorized to execute in a form satisfactory to the City Solicitor, the documents necessary to quit claim the City's right, title and interest in the property municipally known as 84 Emerald Street North pursuant to the Tax Arrears Certificate registered on 1984 August 28 as Instrument Number 290879 C.D.
7.       That the \$2 500. estimated requirement to finance the cost of a school crossing guard at Inverness Avenue and Elcho Street, as approved by City Council by Section 62 of the Tenth Report of the Transport and Environment Committee, be funded from within the existing budget of the School Crossing Guard, or an overdraft basis if necessary.
8.       That the estimated amount of \$28 400. required to fund the Advertising Account of the Human Resources Centre (City) to the end of 1988 be financed by means of an approved overdraft in the appropriate account of the Human Resources Centre to be offset by savings in staff costs of individual departments incurring the advertising expense.

**Note:** This item was approved by the Personnel Committee at its meeting held 1988 July 20.

Respectfully Submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1988 July 19  
mjw







BY-LAW NO. 88 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 26th DAY OF July A.D., 1988.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1988

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON  
BY-LAW NO. 88 -  
TO CLOSE THAT PORTION OF THE UNOPENED ROAD ALLOWANCE  
OF FERGUSON AVENUE FROM THE C.N.R. RIGHT OF WAY  
TO 24.4m SOUTHERLY BEING PART 1, ON PLAN 62R-9175

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 to stop-up any highway or part of a highway;

AND WHEREAS it is deemed expedient to stop-up that portion of the highway described in Schedule "A" hereto attached;

AND WHEREAS Notice of this By-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That portion of the highway described in Schedule "A" attached hereto and forming part of this by-law is hereby stopped-up.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

(1987) 18 R.T.E.C. 21, December 8



SCHEDULE "A"

Part of Ferguson Avenue, according to Registered Plan No. 287  
designated as Part 1, Plan 62R-9175

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Registry Division of Wentworth (no. 62)

PUBLIC NOTICE

TO CLOSE THAT PORTION OF THE UNOPENED ROAD ALLOWANCE  
OF FERGUSON AVENUE FROM THE C.N.R. RIGHT OF WAY  
TO 24.4m SOUTHERLY BEING PART 1, ON PLAN 62R-9175

NOTICE is hereby given pursuant to Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302, that the Council of The Corporation of the City of Hamilton proposes, at its meeting to be held in the City Hall at 7:30 p.m. on Tuesday, July 26, 1988, to pass a by-law to close that portion of the unopened road allowance of Ferguson Avenue from the C.N.R. right of way to 24.4m southerly being Part 1, on Plan 62R-9175.

A plan showing the lands to be affected and a draft of the proposed by-law may be seen in the office of the Regional Engineering Department, Sixth Floor, City Hall, in the City of Hamilton.

On Monday, July 18, 1988 at 2 p.m., the City Council, through its Transport and Environment Committee, will hear in person, or by his counsel, solicitor or agent, any person who claims that his lands will be prejudicially affected by the said by-law and who applies to be heard. Any such person who wishes to be heard should, as soon as possible, make written application to:

Mr. R. Prowse, Secretary  
for the Transport & Environment Committee  
Office of the City Clerk  
City Hall - 71 Main Street West  
Hamilton, Ontario L8N 3T4  
526-2747

DATED at Hamilton, Ontario this 25th day of June, 1988.

E. A. Simpson  
City Clerk  
The Corporation of the  
City of Hamilton

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 88 -

TO CLOSE AND SELL A TRIANGULAR PARCEL OF  
ROAD ALLOWANCE ABUTTING 24 RAVENSCLIFFE AVENUE  
PART 1, PLAN 62R-8133

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to stop-up and sell any highway or part of a highway;

AND WHEREAS it is deemed expedient to stop-up and sell the highway described in Schedule "A" attached hereto;

AND WHEREAS Audrius Gureckas and Catherine Gureckas are the abutting owners on the south of the said highway;

AND WHEREAS The Corporation of the City of Hamilton is the abutting owner on the north of the said highway;

AND WHEREAS Notice of the said by-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The highway described in Schedule "A" attached hereto and forming part of this by-law is hereby stopped-up.
2. Audrius Gureckas and Catherine Gureckas may purchase the portion of the said highway hereby stopped-up for the sum of THREE THOUSAND DOLLARS (\$3,000.00), all in accordance with and subject to the terms and conditions of an Agreement dated December 1, 1985 between themselves and The Corporation of the City of Hamilton.

3. If the said Audrius Gureckas and Catherine Gureckas do not purchase the said highway, the sale of the said property may be authorized to any other person as may be approved by a subsequent by-law.

PASSED this                      day of

A.D. 1988.

City Clerk

Mayor

(1985) 16 R.T.E.C. 32, September 24



SCHEDULE "A"

Part of Ravenscliffe Avenue

Registered Plan No. 443

designated as Part 1, Plan 62R-8133

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Registry Division of Wentworth (No. 62)

PUBLIC NOTICE

TO CLOSE AND SELL A TRIANGULAR PARCEL OF  
ROAD ALLOWANCE ABUTTING 24 RAVENSCLIFFE AVENUE  
PART 1, PLAN 62R-8133

NOTICE is hereby given pursuant to Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302, that the Council of The Corporation of the City of Hamilton proposes, at its meeting to be held in the City Hall at 7:30 p.m. on Tuesday, the 26th day of July, 1988, to pass a by-law to stop-up and sell a triangular parcel of road allowance abutting 24 Ravenscliffe Avenue designated as Part 1, Plan 62R-8133 and to authorize the sale thereof to:

AUDRIUS GURECKAS and CATHERINE GURECKAS for the sum of THREE THOUSAND DOLLARS (\$3,000.00) all in accordance with and subject to the terms and conditions of an Agreement dated December 1, 1985 between The Corporation of the City of Hamilton and Audrius Gureckas and Catherine Gureckas.

If the said Audrius Gureckas and Catherine Gureckas do not purchase the said highway, the sale thereof may be authorized to any other person as may be approved by a subsequent by-law.

A plan showing the lands to be affected and a draft of the proposed by-law may be seen in the office of the Regional Engineering Department, Sixth Floor, City Hall, in the City of Hamilton.

On Monday, the 18th day of July, 1988, at 2:00 p.m., the City Council, through its Transport and Environment Committee, will hear in person, or by his counsel, solicitor or agent, any person who claims that his lands will be prejudicially affected by the said by-law and who applies to be heard. Any such person who wishes to be heard should, as soon as possible, make written application to:

Mr. R. Prowse, Secretary  
for the Transport & Environment Committee  
Office of the City Clerk  
City Hall - 71 Main Street West  
Hamilton, Ontario L8N 3T4  
526-2747

DATED at Hamilton, Ontario, this 25th day of June, 1988.

E. A. Simpson, City Clerk  
The Corporation of the  
City of Hamilton

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 88 -

TO CLOSE AND SELL TEN FOOT (10') PUBLIC WALKWAY  
IN GILKSON NEIGHBOURHOOD  
FROM CRANBROOK DRIVE TO GREYFRIAR DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to stop-up and sell any highway or part of a highway;

AND WHEREAS it is deemed expedient to stop-up and sell the highway described in Schedule "A" hereto;

AND WHEREAS Paul and Lora Repta are the abutting owners on the south-east of the said walkway;

AND WHEREAS Rolf and Miriam Ruppenthal are the abutting owners on the south-west of the said walkway;

AND WHEREAS Naseem and Saied Mohammed are the abutting owners on the north-west of the said walkway;

AND WHEREAS Sergio and Barbara Zavarise are the abutting owners on the north-east of the said walkway;

AND WHEREAS Notice of the said by-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The public walkway described in Schedule "A" attached hereto and forming part of this by-law is hereby stopped-up.
2. Paul and Lora Repta may purchase the portion of the said walkway hereby stopped-up being the east half of the south half (five feet (5') in width) of the said public walkway for the sum of ONE DOLLAR (\$1.00), all in accordance with and subject to the terms and conditions of an Agreement dated April 11, 1988 between themselves and The Corporation of the City of Hamilton.

3. Rolf and Miriam Ruppenthal may purchase the portion of the said walkway hereby stopped-up being the west half of the south half (five feet (5') in width) of the said public walkway for the sum of ONE DOLLAR (\$1.00), all in accordance with and subject to the terms and conditions of an Agreement dated April 11, 1988 between themselves and The Corporation of the City of Hamilton.
4. Naseem and Saied Mohammed may purchase the portion of the said walkway hereby stopped-up being the west half of the north half (five feet (5') in width) of the said public walkway for the sum of ONE DOLLAR (\$1.00), all in accordance with and subject to the terms and conditions of an Agreement dated April 11, 1988 between themselves and The Corporation of the City of Hamilton.
5. Sergio and Barbara Zavarise may purchase the portion of the said walkway hereby stopped-up being the east half of the north half (five feet (5') in width) of the said public walkway for the sum of ONE DOLLAR (\$1.00), all in accordance with and subject to the terms and conditions of an Agreement dated April 11, 1988 between themselves and The Corporation of the City of Hamilton.
6. If the said above-mentioned abutting owners in paragraphs 2 to 5 do not purchase the said walkway, the sale of the said property may be authorized to any other person as may be approved by a subsequent by-law.

PASSED this                      day of                      ,                      A.D. 1988.

City Clerk

Mayor

(1988) 8 R.T.E.C. 2, May 10



SCHEDULE "A"

Parcel Public Walkways -1

Section M-66

Public Walkway between Cranbrook Drive and Greyfriar Drive,  
lying between Lots 102 and 131 to the north and Lots 103 and 130  
to the south, on Plan M-66 designated as Parts 1, 2, 3 and 4 on  
Plan 62R-9633

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Land Titles Division of Wentworth (No. 62)

being part of the parcel

PUBLIC NOTICE

TO CLOSE AND SELL TEN FOOT (10') PUBLIC WALKWAY  
BETWEEN CRANBROOK DRIVE AND GREYFRIAR DRIVE, PLAN M-66

NOTICE is hereby given pursuant to Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302, that the Council of The Corporation of the City of Hamilton proposes, at its meeting to be held in the City Hall at 7:30 p.m. on Tuesday, the 26th day of July, 1988, to pass a by-law to stop-up and sell a ten foot (10') public walkway, on Plan M-66, between Cranbrook Drive and Greyfriar Drive, lying between Lots 102 & 131 on the north, and Lots 103 & 130 on the south, and to authorize the sale thereof to:

1. Paul Repta and Lora Repta (the abutting owners of Lot 103, Plan M-66 to the south-east of the public walkway) of the east half of the south half, being five feet (5') in width of the public walkway for the sum of ONE DOLLAR (\$1.00);
2. Rolf Ruppenthal and Miriam Ruppenthal (the abutting owners of Lot 130, Plan M-66 to the south-west of the public walkway) of the west half of the south half, being five feet (5') in width of the public walkway for the sum of ONE DOLLAR (\$1.00);
3. Naseem Mohammed and Saied Mohammed (the abutting owners of Lot 131, Plan M-66 to the north-west of the public walkway) of the west half of the north half, being five feet (5') in width of the public walkway for the sum of ONE DOLLAR (\$1.00);
4. Sergio Zavarise and Barbara Zavarise (the abutting owners of Lot 102, Plan M-66 to the north-east of the public walkway) of the east half of the north half, being five feet (5') in width of the public walkway for the sum of ONE DOLLAR (\$1.00).

If the above-mentioned abutting owners set out in paragraphs 1 to 4 do not purchase the said highway, the sale thereof may be authorized to any other person as may be approved by a subsequent by-law.

A plan (M-66) showing the lands to be affected and a draft of the proposed by-law may be seen in the office of the Regional Transportation Department, Sixth Floor, City Hall, in the City of Hamilton.

On Monday, the 18th day of July, 1988, at 2:00 p.m., the City Council, through its Transport and Environment Committee, will hear in person, or by his counsel, solicitor or agent, any person who claims that his lands will be prejudicially affected by the said by-law and who applies to be heard. Any such person who wishes to be heard should, as soon as possible, make written application to:

Mr. R. Prowse, Secretary  
for the Transport & Environment Committee  
Office of the City Clerk  
City Hall - 71 Main Street West  
Hamilton, Ontario L8N 3T4  
526-2747

DATED at Hamilton, Ontario, this 25th day of June, 1988.

E. A. Simpson, City Clerk  
The Corporation of the  
City of Hamilton

## THE CORPORATION OF THE CITY OF HAMILTON

## BY-LAW NO. 88 -

## To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of a concrete sidewalk on the north side of Barton Street from Kenilworth Avenue to approximately 755m westerly as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 1 of the 24th Report of the Executive Committee on December 8, 1987;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 2nd day of June, 1988, issue Order No. E 880501 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of \$87,600.00; and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$87,600.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$87,600.00.
2. The share or portion of the estimated cost of the works in the amount of \$41,480.96 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.



3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$87,600.00; and,
  - (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 26th day of July, A.D. 1988.

City Clerk

Mayor

(1987) 24 R.E.C. 1, December 8

SCHEDULE "A"

The Construction of a CONCRETE SIDEWALK on the North Side of Barton Street from Kenilworth Avenue to approximately 755m westerly at the costs not exceeding those set out below:

City's Share	\$46,119.04
Owners' Share	<u>41,480.96</u>
Total Estimated Cost	<u>\$87,600.00</u>

Estimated Cost per metre frontage                      \$64.00

Fifteen (15) annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

By-law No. 87-144

Respecting:

MUNICIPAL WEED INSPECTORS

WHEREAS By-law No. 87-144, passed on the 12th day of May, 1987, provided for the appointment of Municipal Weed Inspectors under subsections 6(1) and 8(1) of The Weed Control Act, R.S.O. 1980, Chapter 530 and appointed twenty-two inspectors;

AND WHEREAS it is intended to revise the list of appointed Municipal Weed Inspectors.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 87-144 is repealed and the following substituted therefor:

The following persons are hereby appointed Municipal Weed Inspectors to enforce the Weed Control Act in the City of Hamilton:

- |                     |                 |
|---------------------|-----------------|
| 1. A. Boers         | 10. C. Gibbs    |
| 2. P. Booker        | 11. L. Major    |
| 3. J. Bovaird       | 12. A. Mancini  |
| 4. P. Christie      | 13. D. Pomfret  |
| 5. D. Cowan         | 14. J. Pook     |
| 6. D. Danby         | 15. H. Reinhold |
| 7. R. Duguay        | 16. C. Rogers   |
| 8. A. Felice        | 17. R. Wells    |
| 9. C. Firth-Eagland |                 |

PASSED this            day of            , A.D. 1988.

City Clerk

Mayor





## By-law No. 88 -

## To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 24 (Parking Meter Locations) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting from Section 3 (One Hour Limit) the following item, namely:-

"Cambridge North Kenilworth to 80 feet west".

and by adding thereto the following item, namely:-

"Cambridge South Kenilworth to 70 feet west".

2. Schedule 25 (Parking Time Limits) is hereby amended:

(a) by adding to Section 14 (One Hour Limit) the following item, namely:-

"Burton Both Emerald to Victoria".

(b) by deleting from Section 7 (Three Hour Limit) the following items, namely:-

"Burton Both Wentworth to 300 ft. east of Victoria".

and by adding thereto the following item, namely:-

"Burton Both Wentworth to Emerald".

3. Schedule 25A (Parking Time Limits) is hereby amended:-

(a) by adding thereto the following section, namely:-

"22. Two Hour Limit between the hours of 8 o'clock in the forenoon and 5 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Duke	South	Hess to Queen".

(b) by adding to Section 5 (One Hour Limit) the following items, namely:-

"St. Andrews	East	St. Andrews (north leg) to Jennifer
East 34th	Both	Concession to Crockett".

4. Schedule 26 (No Parking Areas) is hereby amended:

(a) by adding to Section A (No Parking Anytime) the following items, namely:-

"Bruceedale	South	East 13th to 76 feet west
Cambridge	North	Kenilworth to Frederick
Jackson	North	Ferguson to 126 feet west".

(b) by deleting from Section C (No Parking 7:00 a.m. - 6:00 p.m.) the following items, namely:-

"Birch (westerly part)	West	Barton to Huron
Sanford	West	Myler to 125 ft. south".

and by adding thereto the following item, namely:-

"Birch (west leg)	West	Barton to 290 feet south".
-------------------	------	----------------------------

5. Schedule 27A (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"Golfwood East and South West and North".  
Guildwood to Greencedar

and by deleting therefrom the following item, namely:-

"Cambridge Avenue North South".  
Frederick Avenue to Kenilworth Avenue North

6. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following items, namely:-

"Lincoln East commencing 53 feet north of the Anytime  
north curb line of Gordon to a point  
20 feet northerly therefrom

Lincoln West commencing 54 feet north of Gordon Anytime".  
to a point 24 feet northerly therefrom

PASSED this                      day of                      , A.D. 1988.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON  
BY-LAW NO. 88 -  
TO EXPROPRIATE LANDS  
FOR PARKS AND MUNICIPAL PURPOSES

WHEREAS Section 193 of The Municipal Act, R.S.O. 1980, Chapter 302, states that the Council of a municipality may pass by-laws for acquiring or expropriating any land required for the purposes of the Corporation;

AND WHEREAS on March 8, 1988, pursuant to The Expropriations Act, R.S.O. 1980, Chapter 148, The Corporation of the City of Hamilton, as expropriating authority, did authorize application to the Council of The Corporation of the City of Hamilton as approving authority, for approval of the expropriation of lands described in Schedule "A" below;

AND WHEREAS Notices of the said application as required under The Expropriations Act have been duly served upon those entitled;

AND WHEREAS The Corporation of the City of Hamilton as expropriating authority, did publish Notice of the said application in The Spectator, a newspaper having general circulation in the City of Hamilton in accordance with the said Expropriations Act;

AND WHEREAS no request was received within the statutory period for an inquiry hearing;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. As approving authority under the said Expropriations Act, the application for approval to expropriate the lands described in Schedule "A" below for parks and municipal purposes made by The Corporation of the City of Hamilton, as expropriating authority, be and is hereby granted.

2. As expropriating authority under The Expropriations Act, The Corporation of the City of Hamilton hereby expropriates the lands described in Schedule "A" below for parks and municipal purposes.
3. The City Clerk and the proper officers of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this by-law and this authority shall include the taking of all necessary proceedings to enter and take possession of the lands herein expropriated.

PASSED this                      day of                      A.D., 1988.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

SCHEDULE "A"

FIRSTLY:        all of Lot 9, Plan Number 259;  
 SECONDLY:      all of Lot 18, Registrar's Compiled Plan Number 1410;  
 THIRDLY:       all of Lot 6, Plan Number 259; and,  
 FOURTHLY:     all of Lot 6 in the Block bounded by Augusta Street,  
                   Walnut Street, Young Street and Ferguson Avenue, Plan  
                   Number 48,

in the City of Hamilton  
 in the Regional Municipality of Hamilton-Wentworth

(Legal File 55-0.81,82,83,84; March 8/88; Item 1, 6 R.P. & R.Cttee.)



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Designate:

LAND LOCATED AT MUNICIPAL NO. 255 WEST AVENUE NORTH

As Property of: .

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 255 West Avenue North and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this                      day of                      A.D. 1988.

Deputy City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 88-

WEST AVENUE SCHOOL

255 West Avenue North,

Hamilton, Ontario

Lots 17, 18, 19 and 20, fronting on the west side of West Avenue in the block bounded by West Avenue, Robert, Wellington and Barton Streets, in R.E.A. Lands' Survey, Plan 286, City of Hamilton, Regional Municipality of Hamilton-Wentworth.

SCHEDULE "B"

To

By-law No. 88-

REASONS FOR DESIGNATION

WEST AVENUE SCHOOL

255 West Avenue North,  
Hamilton, Ontario

The present West Avenue School building, which includes the original 1885 school and several later additions, is situated at the south-west corner of West Avenue North and Barton Street East, across from the Hamilton General Hospital. This Victorian school is an important local landmark on the commercial thoroughfare of Barton Street East and the residential street of West Avenue.

The original West Avenue School was designed by Hamilton architect Lucien Hills. Its basic design - the cubic form, hipped roof and central tower - was typical of the public schools designed by Hamilton architects in the 1870s and 1880s. A unique feature of Hill's design is the arched pediment which originally had bracketed eaves. Other noteworthy features include the bracketed wooden cornice, the decorative brick quoining, corbelling and string courses, the stone framed circular window and the tall open belfry (removed in 1952).

The original school was substantially enlarged, in 1921 by a compatible rear addition (four classrooms) designed by Witton & Walsh. The building's attractive facade has, however, since been obscured by the addition of a gymnasium (1952) and a metal-clad stairwell (1974). Other significant alterations include the removal of the belfry and changes to the arched pediment, which entailed shortening the returned eaves and removing all the brackets.

West Avenue School was the fifth of eleven public schools built in Hamilton during the nineteenth century. It was also the first to be erected in the city's rapidly growing north-eastern section, characterized by industrial development to the north of Barton Street and residential development to the south. Across from West Avenue School on the north side of Barton Street was the first City Hospital (now part of the Hamilton General complex), completed in 1882 and also designed by Lucien Hills.

West Avenue School is one of only four nineteenth century Hamilton public schools still standing. The original school building, with its 1921 addition, has survived largely intact despite insensitive additions and alterations to the main facade.

Important to the preservation of West Avenue School is the retention of all four exterior facades, excluding the gymnasium and stairwell additions, but including the hipped roof with its cupola and dormers, the central tower with its arched pediment, circular window and carved stone "West Avenue School" sign, and the two-over-two, double-hung windows.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Adopt:

Official Plan Amendment No. 58

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF UPPER SHERMAN AVENUE  
AND LIMERIDGE ROAD EAST

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 58 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1988.

Deputy City Clerk

Mayor



AMENDMENT NO. 58  
TO THE  
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with Schedules "A", attached hereto, constitutes Official Plan Amendment No. 58.

PURPOSE

The purpose of this Amendment is to permit the development of a convenience store with a gas bar by redesignating the subject lands from "Residential" to "Commercial".

LOCATION

The lands affected by this amendment are located at the south-west corner of Upper Sherman Avenue and Limeridge Road East.

BASIS

City Council has deemed the proposed convenience store and gas bar appropriate development at this location.

ACTUAL CHANGES

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.

IMPLEMENTATION

A Zoning By-law amendment will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 88- , passed on the       day  
of       , 1988.

The Corporation of the  
City of Hamilton

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

# amendment no. 58

to the  
official plan  
for the  
city of hamilton

## legend

area to be changed from  
residential to commercial

date	drawn by	reference file no.
88-06-21	G.G.	6-2-58

DEFERRED NO D-8  
UNDER SECTION 4(3) OF  
THE PLANNING ACT



## land use concept

### legend

- residential
- commercial
- industrial
- open space
- water
- highway
- utility
- central park area
- airport
- sub regional centre
- local neighbourhood

## schedule A

to the official plan  
for  
the city of hamilton  
1988 03 24

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

As Amended by By-laws No. 84-146 and 84-275

Respecting:

LAND LOCATED AT THE REAR OF  
MUNICIPAL NO. 149 NASH ROAD SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS By-law No. 84-146, passed on the 26th day of June, 1984, in accordance with S.34(1) of the Planning Act, S.O. 1983, Chapter 1, amended the City of Hamilton Zoning By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), to establish special requirements with respect to the lands located on the north side of King Street East and east of Nash Road, the extent and boundaries of which are shown on a plan annexed to the said By-law as Schedule "A";

AND WHEREAS By-law No. 84-275, passed on the 11th day of December, 1984, in accordance with S.34(1) of the Planning Act, S.O. 1983, Chapter 1, amended the City of Hamilton Zoning By-law No. 6593 to rezone the lands located at Municipal No. 171 Nash Road South, the extent and boundaries of which are shown on a plan annexed to the said By-law as Schedule "A", from "C" (Urban Protected Residential, etc.) district to "AA" (Agricultural) district, and to establish special requirements with respect to the said lands;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) Schedule "A" to By-law No. 84-146, as amended by By-law No. 84-275, be amended by adding the lands shown on Schedule "A" annexed hereto and forming part of this by-law.



2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" district provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-867b.

4. Sheet No. E-106 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-867b.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this            day of            , A.D. 1988.

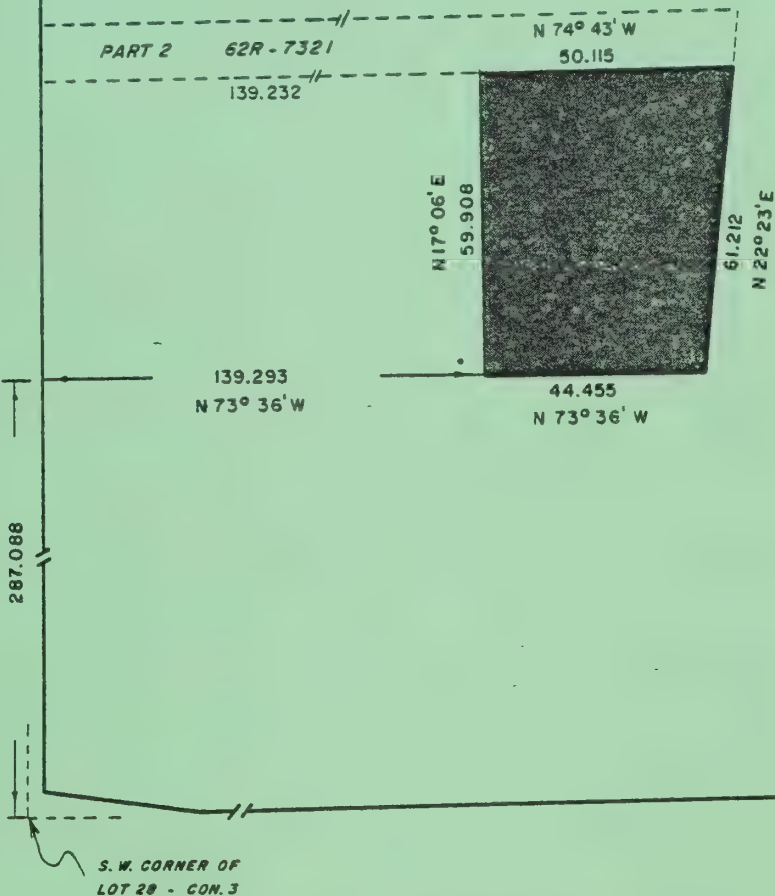
Deputy City Clerk

Mayor

(1988) 6 R.P.D.C. 3, March 29  
Sisters of St. Joseph of the Diocese of Hamilton,  
Prospective Owner  
ZA-87-134



NASH ROAD SOUTH



KING STREET EAST

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED  
BY BY-LAW NO. 88 -

North



Scale  
NOT TO SCALE

Date  
MARCH 22, 1988

Reference File No.  
ZA-87-134

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT THE REAR OF  
MUNICIPAL NO. 149 NASH ROAD SOUTH

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O 1979, Chapter 59, section 1, [now section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July, 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS By-law No. 84-147, passed on the 26th day of June, 1984, amended By-law No. 79-275 to establish site plan control on the land located on the north side of King Street East and east of Nash Road;

AND WHEREAS By-law No. 84-276, passed on the 11th day of December, 1984, amended By-law No. 79-275 to establish site plan control on the land located at Municipal No. 171 Nash Road South;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

106. Land located at the rear of Municipal No. 149 Nash Road South, shown on Appendix 106 hereto annexed and forming part of this by-law.

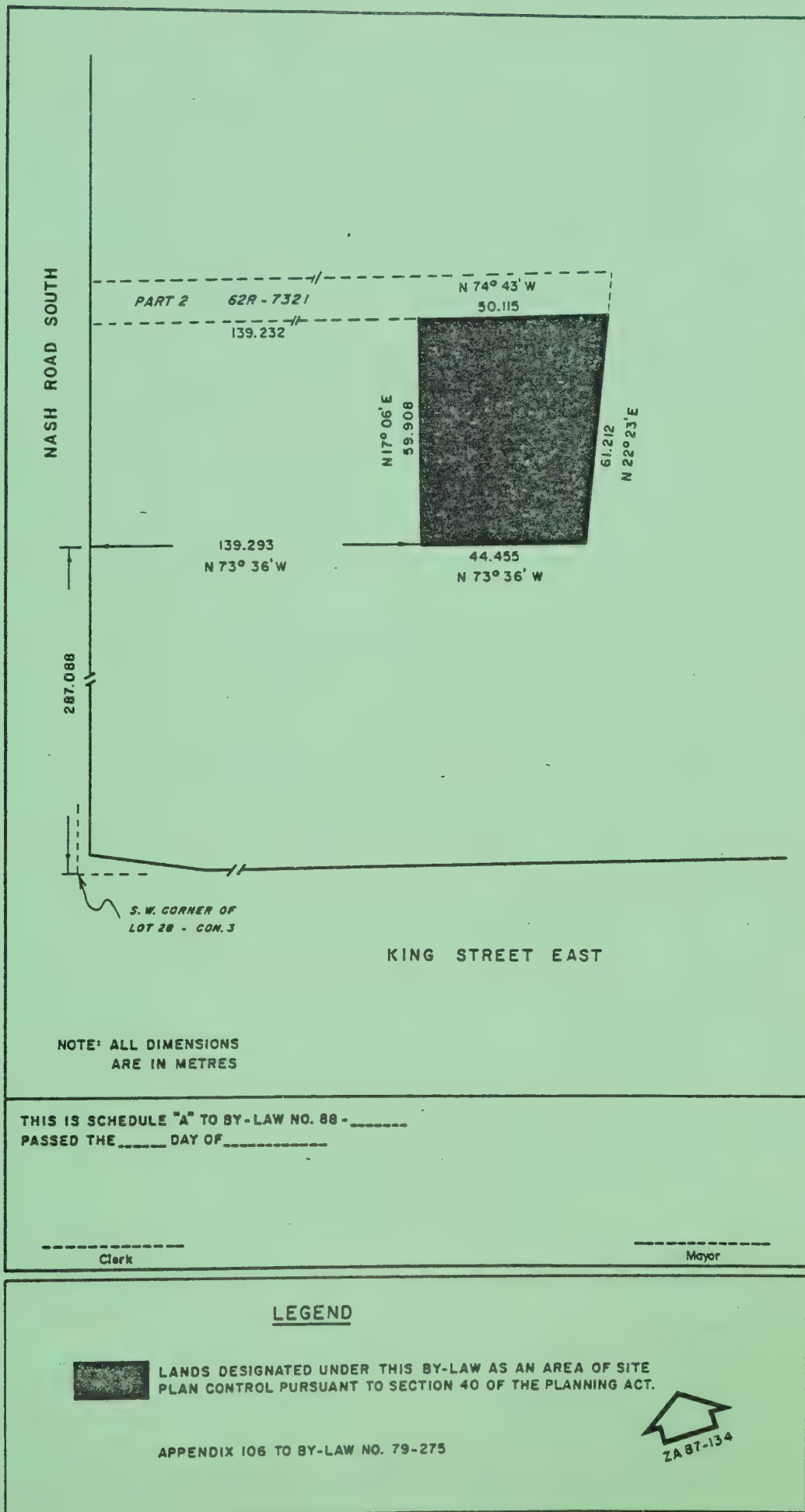
2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275 as Appendix 106.

PASSED this            day of            , A.D. 1988.

Deputy City Clerk

Mayor

(1988) 6 R.P.D.C. 3(b), March 29  
Sisters of St. Joseph of the Diocese of Hamilton,  
Prospective Owner  
ZA-87-134



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 945 WEST FIFTH STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land comprised in Blocks 1 and 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

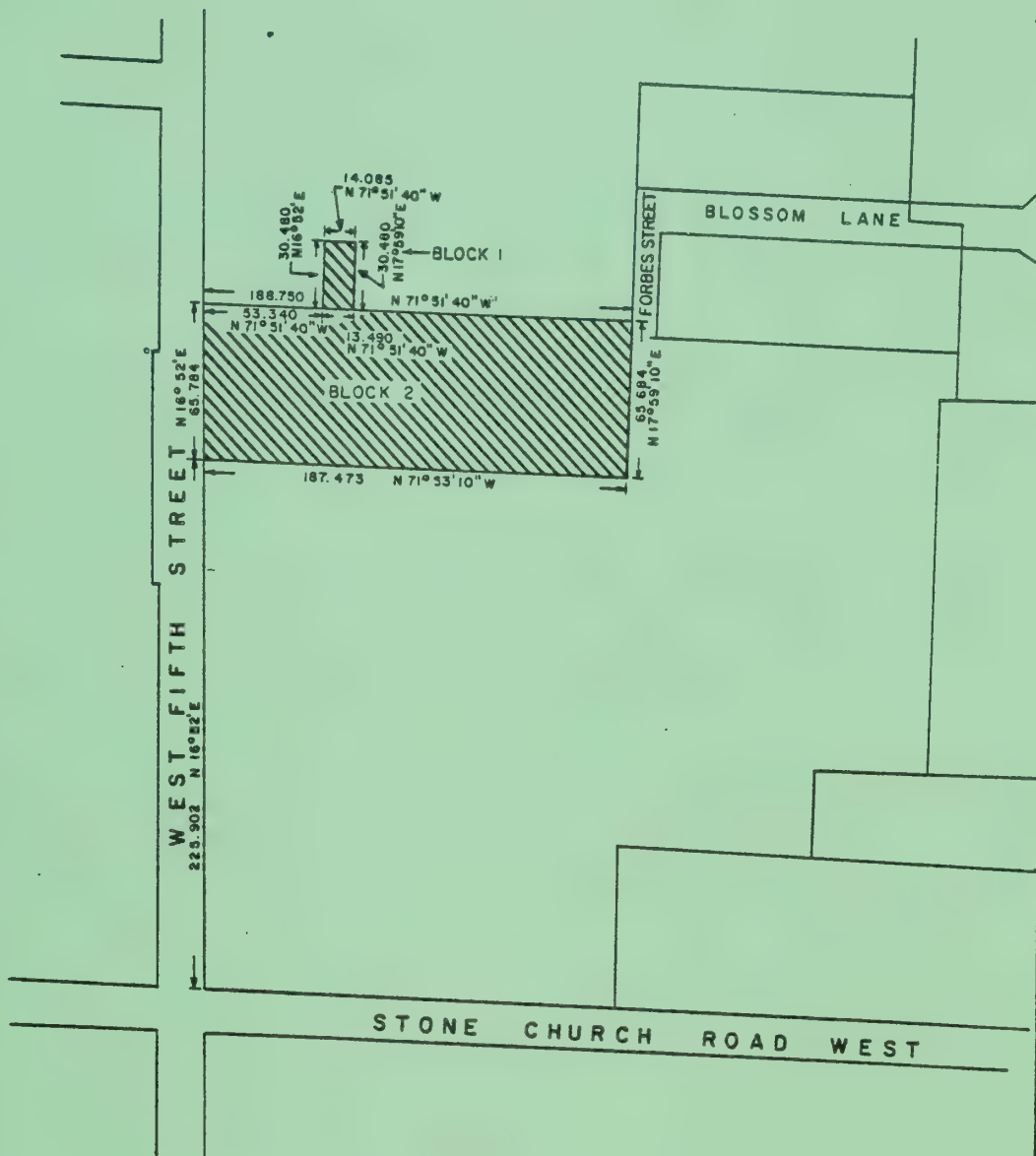
PASSED this                      day of                      , A.D: 1988.

Deputy City Clerk

Mayor

(1988) 15 R.P.D.C. 4(b), June 28  
Vincent Citino, Owner  
Amended ZA-88-38





NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

SCHEDULE "A"



MAP FORMING PART OF

BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

BLOCK 1  CHANGE IN ZONING FROM "AA"  
BLOCK 2  (AGRICULTURAL) DISTRICT TO "C"  
(URBAN PROTECTED RESIDENTIAL,  
ETC.) DISTRICT.

North



Scale  
NOT TO SCALE

Date  
JUNE, 1988

Reference File No.  
ZA-88-38

Drawing No.

## The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 2783 BARTON STREET EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "JJ" (Restricted Light Industrial) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding Section 16A(1) of By-law No. 6593, the following,

(i) COMMERCIAL USES shall be permitted within the building existing at the time of the passing of this by-law, provided that the maximum retail sales area does not exceed 50% of the gross leasable floor area:

	<u>COMMERCIAL USE</u>	<u>S.I.C. IDENTIFICATION</u>
(1)	Household Furniture Store (with appliances and furnishings)	6211
(2)	Household Furniture Store (without appliances and furnishings)	6212
(3)	Appliance, Television, Radio and Stereo Store	6221
(4)	Floor Covering Store	6231
(5)	Drapery Store	6232
(6)	Tire, Battery, Parts and Accessories Store	6342
(7)	Computer Services	7721
(8)	Computer Equipment Maintenance and Repair	7722
(9)	Industrial Machinery and Equipment Rental and Leasing	9911
(10)	Other Machinery and Equipment Rental and Leasing	9919

(ii) COMMERCIAL USES shall be permitted:

<u>COMMERCIAL USE</u>		<u>S.I.C.</u> <u>IDENTIFICATION</u>
(1)	Chartered Banks	7021
(2)	Trust Companies	7031
(3)	Local Credit Unions	7051
(4)	Offices of Architects	7751
(5)	Offices of Engineers	7752
(6)	Management Consulting Services	7771
(7)	Customs Brokers	7794
(8)	Medical Laboratories	8681
(9)	Radiological Laboratories	8682
(10)	Combined Medical and Radiological Laboratories	8683
(11)	Caterers	9214
(12)	Dance Hall, Studio and School	9693

2. . No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "JJ" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1083.

4. Sheet No. E-123 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1083.

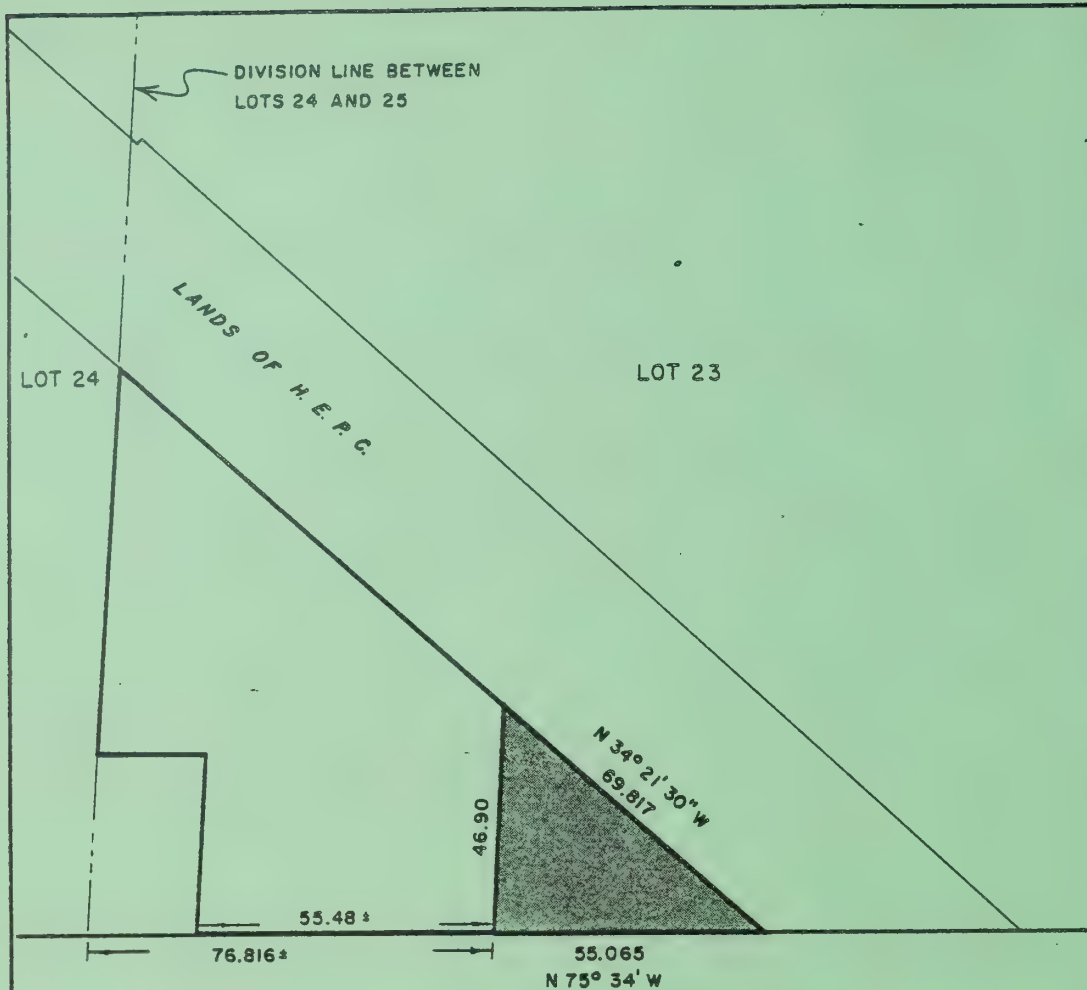
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      , A.D. 1988.

Deputy City Clerk

Mayor

(1988) 15 R.P.D.C. 30, June 28  
Catharine Dillon and Patricia Vassallo, Owners  
Amended ZA-88-25



BARTON STREET EAST

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED  
BY BY-LAW NO. 88 -

North



Scale  
NOT TO SCALE

Date  
JULY 5, 1988

Reference File No.  
ZA-88-25

Drawn By  
Z. K.



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 114 MELVIN AVENUE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding section 4(3)(a) of By-law No. 6593, two existing principal buildings shall be permitted for commercial and residential use;

(b) notwithstanding section 14(1)(xvii) of By-law No. 6593, the following:

(i) COMMERCIAL USE shall not be prohibited:

1. Wholesale warehouse for the storage and sale of worms within the building existing on the day of the passing of this by-law, located at the rear of No. 114 Melvin Avenue;

(c) notwithstanding section 14(3)(iii)(c) of By-law No. 6593, a rear yard not less than 0.45 m. in depth shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" district provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1072.

4. Sheet No. E-73 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1072.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1988.

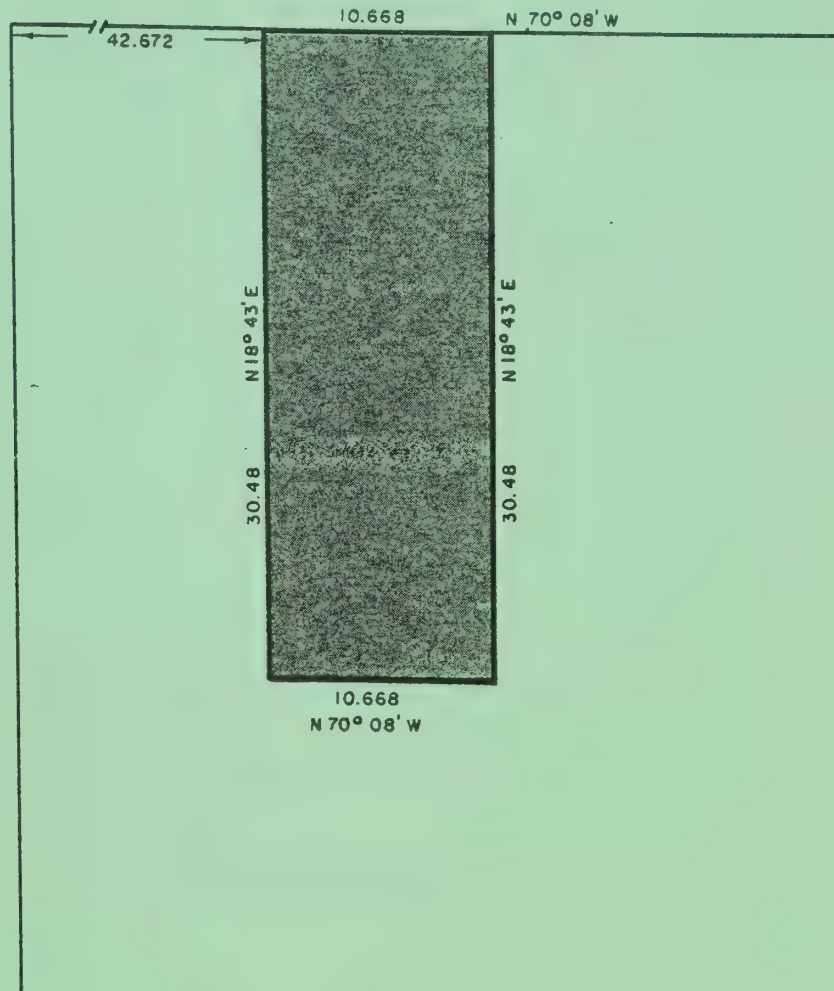
Deputy City Clerk

Mayor

(1988) 8 R.P.D.C. 3, April 12  
Melan Balac, Owner  
ZA-88-04

# MELVIN AVENUE

JULIAN AVENUE



NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON  
SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 88-  
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend



LANDS TO BE REGULATED BY  
BY-LAW NO. 88 -

North



Scale  
NOT TO SCALE

Date  
APRIL 7, 1988

Reference File No.  
ZA-88-04

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE NORTH-EAST CORNER OF WEST FIFTH STREET  
AND STONE CHURCH ROAD WEST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

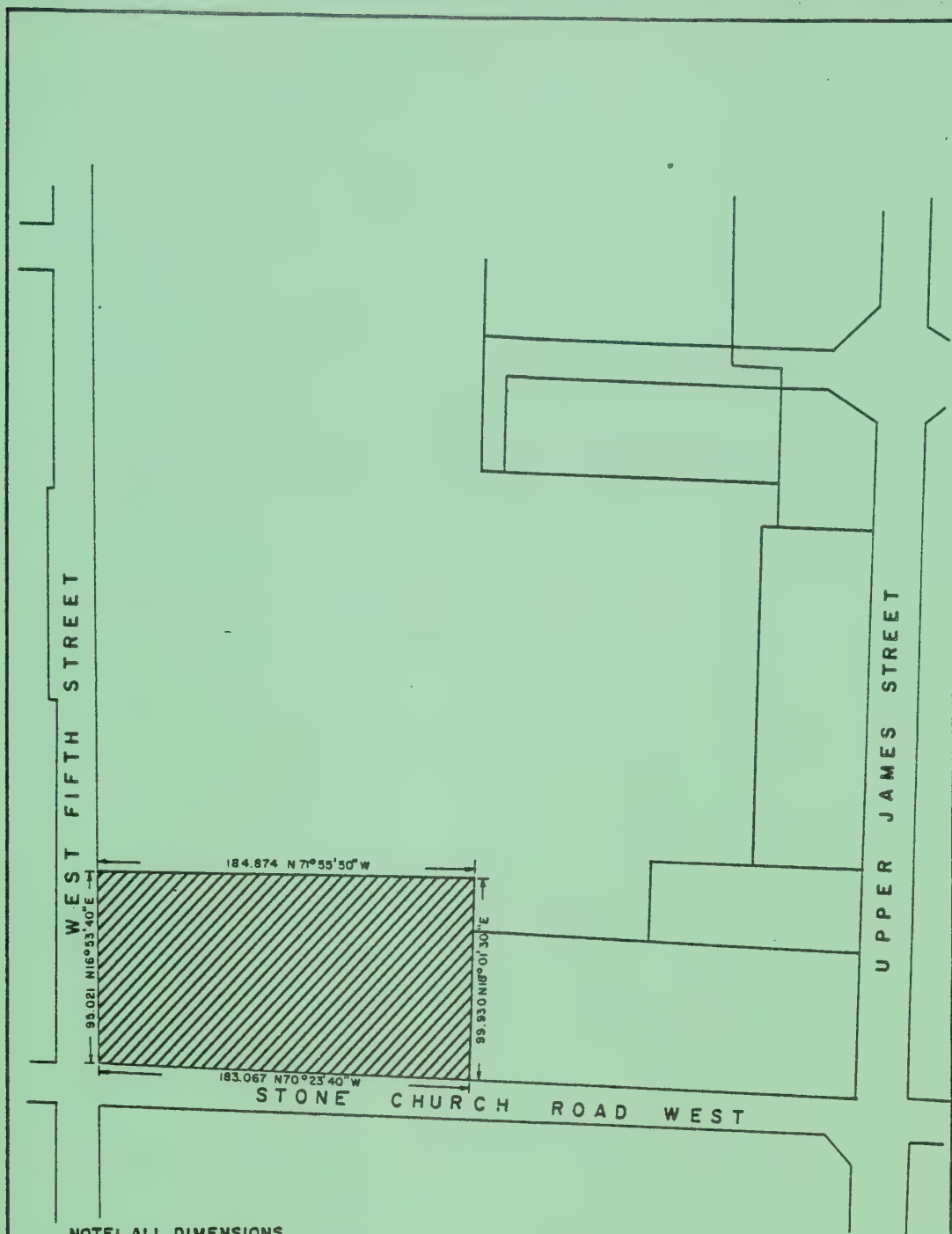
PASSED this                      day of                      , A.D. 1988.

Deputy City Clerk

Mayor

(1988) 15 R.P.D.C. 3, June 28  
Marvin J. Wasserman, Owner  
ZA-88-14





NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

## CITY OF HAMILTON

### SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



CHANGE IN ZONING FROM "AA"  
(AGRICULTURAL) DISTRICT TO  
"RT-20" (TOWNHOUSE -  
MAISONETTE) DISTRICT.

North



Scale

NOT TO SCALE

Reference File No.

ZA-88-14

Date  
JUNE, 1988

Drawing No.

The Corporation of the City of Hamilton

• BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF  
MUNICIPAL NO. 2800 BARTON STREET EAST, BEING ONTARIO HYDRO LANDS

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-123 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "L-pn" (Planned Development - Public and Institutional) district to "G-3"-H (Public Parking Lots - Holding) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as Schedule "A".

2. The "G-3" (Public Parking Lots) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirement that,

- (a) along and within the north, south and west limits of the lands leased from Ontario Hydro at the date of the passing of this by-law,

- (i) a planting strip not less than 1.5 m in width, and

- (ii) a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height,

shall be provided and maintained;

- (b) upon submission by the applicant of a site plan of the proposed parking lot acceptable to the Planning and Development Committee, the 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Block 1 may proceed in accordance with the "G-3" District

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" district provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1080.

5. Sheet No. E-123 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1080.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      , A.D. 1988.

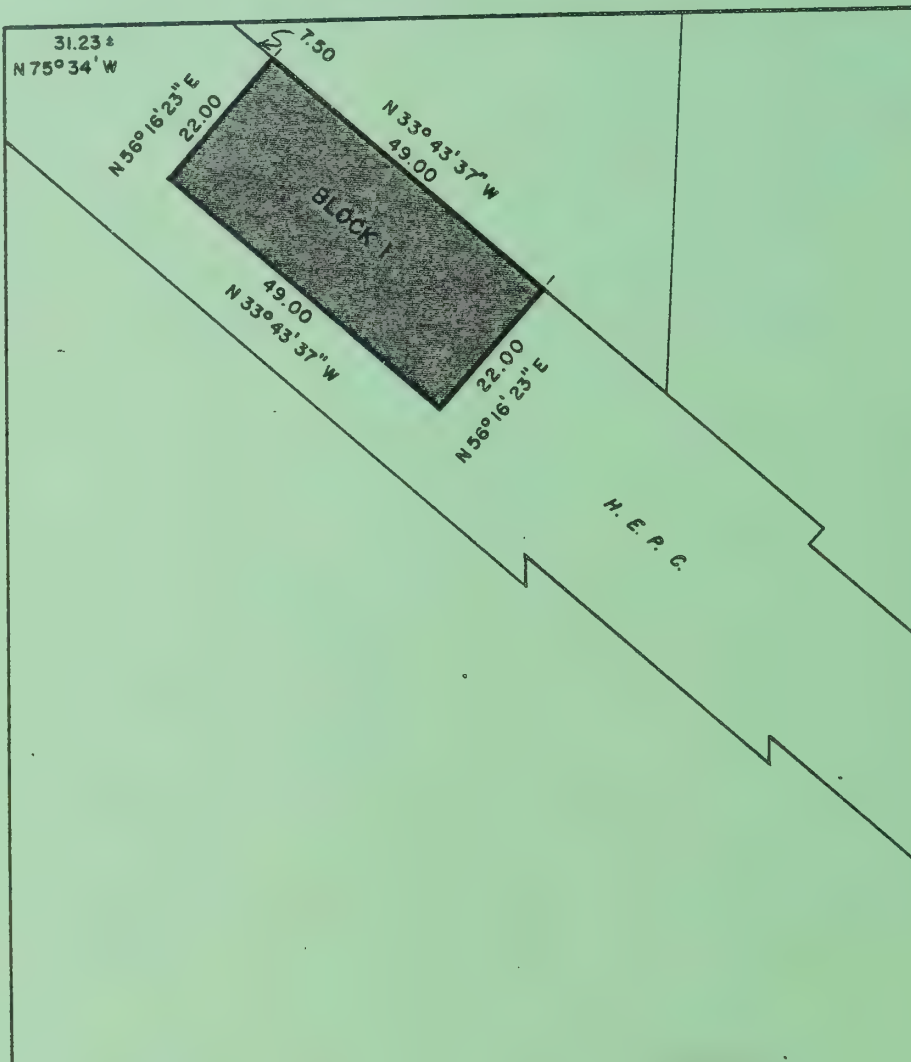
Deputy City Clerk

Mayor

(1988) 13 R.P.D.C. 12, May 31  
690372 Ontario Inc., Lessee  
ZA-88-22

# BARTON STREET EAST

BELL MANOR STREET



NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

BLOCK 1



CHANGE IN ZONING FROM "L-pn" (PLAN-  
NED DEVELOPMENT - PUBLIC AND IN-  
STITUTIONAL) DISTRICT TO "G-3" - "H"  
(PUBLIC PARKING LOTS - HOLDING)  
DISTRICT.

North



Scale

NOT TO SCALE

Date

MAY 27, 1988

Reference File No.

ZA-88-22

Drawn By

Z. K.



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 26 WILSON STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding section 14(1) of By-law No. 6593, the following,

(i) PUBLIC USE shall be permitted on the second floor of the building existing at the date of the passing of this by-law,

1. A public hall, provided that its seating capacity not exceed 120 persons.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" district provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1079.

4. Sheet No. E-4 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1079.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

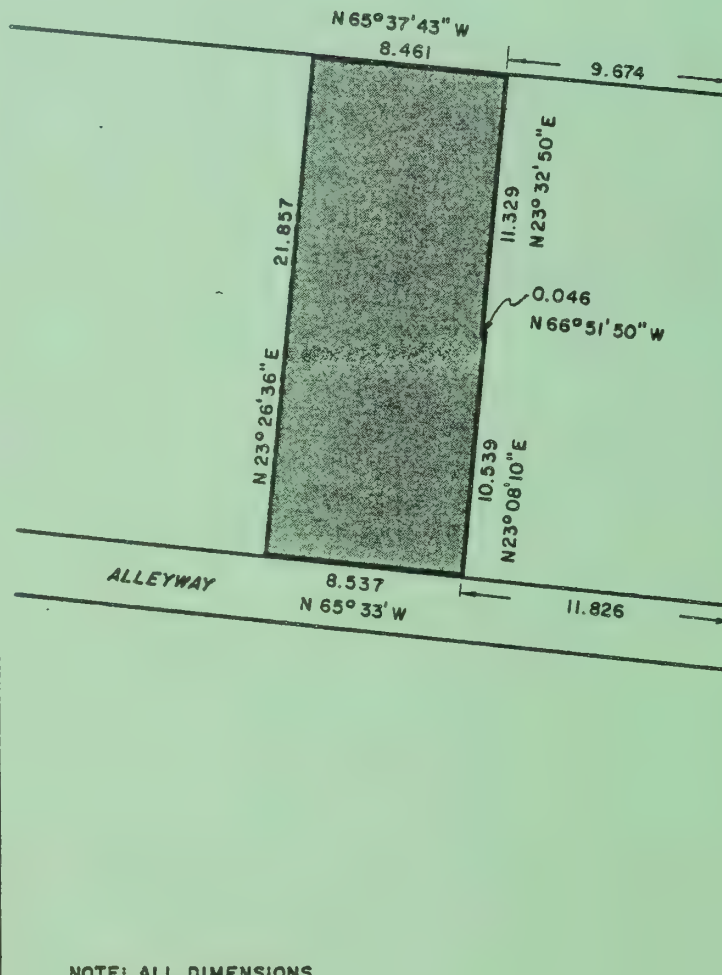
PASSED this                      day of                      , A.D. 1988.

Deputy City Clerk

Mayor

(1988) 13 R.P.D.C. 11, May 31  
Amalgamated Transit Union Local 107  
ZA-88-18

WILSON STREET



HUGHSON STREET NORTH

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED  
BY BY-LAW NO. 88-

North



Scale  
NOT TO SCALE

Date  
MAY 19, 1988

Reference File No.  
ZA-88-18

Drawn By  
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT  
MUNICIPAL NOS. 159-179 HUNTER STREET EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-5 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "L-mr-2" (Planned Development - Multiple Residential) district to "E-3" (High Density Multiple Dwellings) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as Schedule "A".

2. The "E-3" (High Density Multiple Dwellings) district provisions applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding section 11C(1a) of By-law No. 6593, the height of a building or structure shall not exceed six storeys in height;
- (b) notwithstanding section 11C(2)(a) of By-law No. 6593, a front yard of not less than 5.2 m shall be provided and maintained;
- (c) notwithstanding section 11C(2)(b) of By-law No. 6593,
  - (i) an easterly side yard of not less than 6.0 m, and
  - (ii) a westerly side yard of not less than 5.6 m shall be provided and maintained;
- (d) notwithstanding section 11C(2)(c) of By-law No. 6593, a rear yard of not less than 7.0 m shall be provided and maintained;

- (e) notwithstanding section 11C(4) of By-law No. 6593, no building or structure shall have a gross floor area ratio in excess of 2.45;
- (f) notwithstanding section 11C(5) of By-law No. 6593, for every building or structure there shall be provided and maintained on the lot a landscaped area of not less than 36% of the area of the lot on which it is situate;
- (g) notwithstanding section 11C of By-law No. 6593, the building located at Municipal No. 167 Hunter Street East, and existing as of the date of the passing of this by-law shall be permitted;
- (h) notwithstanding section 4(3) of By-law No. 6593, the erection or conversion or use of two residential buildings on the same lot shall be permitted;
- (i) a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the northerly and westerly property lines, except within 3.0 m of the street line along Hunter Street East.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" district provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1078.

5. Sheet No. E-5 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1078.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      , A.D. 1988.

Deputy City Clerk

Mayor





HUNTER STREET EAST

FERGUSON AVENUE SOUTH

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk





\_\_\_\_\_  
Mayor


# CITY OF HAMILTON

SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 88 -  
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

-  BLOCK 1 CHANGE IN ZONING FROM "L-mr-2" (PLANNED DEVELOPMENT - MULTIPLE RESIDENTIAL) DISTRICT TO "E-3" (HIGH DENSITY MULTIPLE DWELLINGS) DISTRICT, MODIFIED.
-  BLOCK 2 FURTHER MODIFICATION TO THE "E-3" (HIGH DENSITY MULTIPLE DWELLINGS) DISTRICT.
-  BLK. 1 LANDS TO BE REGULATED BY BY-LAW NO. 88 -
-  BLK. 2

North 	Scale NOT TO SCALE Date MAY 20, 1988	Reference File No. ZA - 88 - 15 Drawn By Z. K.
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The Corporation of the City of Hamilton

BY-LAW NO. 8 -

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 464 UPPER KENILWORTH AVENUE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subparagraph (viii) of paragraph A of subsection 2(2) and subsection 10(1) of By-law No. 6593, the following,

(i) RESIDENTIAL USE shall not be prohibited:

1. A multiple dwelling containing not more than four class "A" dwelling units within the building existing on the day of the passing of this by-law;

(b) notwithstanding paragraph (g) of Table 1 of clause 18A(1) of By-law No. 6593, a minimum of 4 parking spaces shall be provided and maintained.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-985".

4. Sheet No. E-58 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-985".

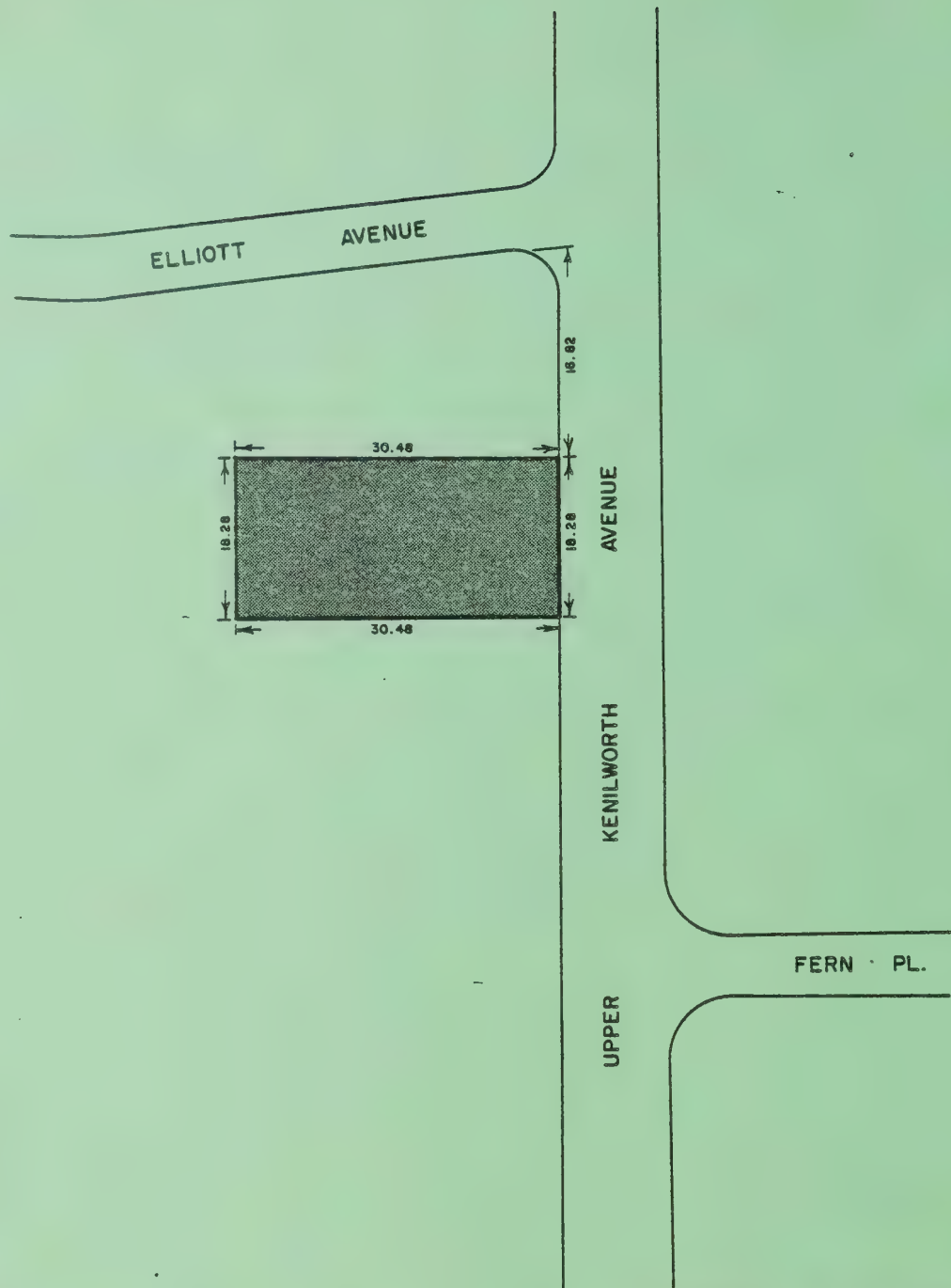
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance With The Planning Act, 1983.

PASSED this                      day of                      A.D. 198 .

Deputy      City Clerk

Mayor

(1986) 21 R.P.D.C. 3, October 14  
Karen Corsini, Owner  
ZA-86-68



ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY LAW No. 8 - - - -  
PASSED THE \_\_\_ DAY OF - - - - -

-----  
Clerk

-----  
Mayor

CITY OF HAMILTON  
SCHEDULE "A"


MAP FORMING PART OF


BY - LAW No. 8 -

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

 LANDS TO BE REGULATED  
BY BY-LAW No. 8 -

<p>North</p> 	Scale	Reference File No.
	N.T.S.	ZA-86-68
	Date	Drawing No.
	OCT. 1986	86-H-222



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Procedural By-law No. 82-203

Respecting:

COUNCIL MEETINGS

WHEREAS By-law No. 82-203, passed on the 28th day of September 1982, established a procedure respecting Meetings of the Council of The Corporation of the City of Hamilton, being Part II of By-law No. 82-203;

AND WHEREAS S.2(1) of the said By-law No. 82-203 provides that the Council of The Corporation of the City of Hamilton shall meet twice each month except for the months of June, July, and August;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 8th Report of the Legislation Committee at its meeting of 28 June 1988, directed that By-law No. 82-203 be amended to include the month of September in the exempting provision under S. 2(1).

NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2(1) of By-law No. 82-203 is repealed, and the following is substituted therefor:

2. (1) The Regular Meetings of City Council shall, unless otherwise ordered and except as provided in subsection 2, be held on the second and last Tuesday of every month at seven-thirty o'clock p.m. except for,

(i) the months of June, July, August, and September, when one meeting only shall be held on the last Tuesday in each of the months, and

(ii) the month of December when one meeting only shall be held on the second Tuesday of the month.

2. In all other respects, section 2 of By-law No. 82-203 is hereby confirmed, unchanged.

PASSED this            day of            , A.D. 1988.

Deputy City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Repeal:

By-law No. 85-243

Respecting:

ELECTION CONTRIBUTIONS AND EXPENSES

WHEREAS By-law No. 85-243 was passed by the Council of The Corporation of the City of Hamilton on the 29th day of October 1985, under the authority of S. 121 of the Municipal Elections Act, R.S.O. 1980, c. 308, as re-enacted by the Municipal Elections Amendment Act, 1982, S.O. 1982, c. 37, S. 25, as amended;

AND WHEREAS the Municipal Elections Statute Law Amendment Act, 1988, S.O. 1988, c. 33, S.11 repeals S. 121 of the Municipal Elections Act, R.S.O. 1980;

AND WHEREAS S. 12 of the said Municipal Elections Statute Law Amendment Act, S.O. 1988, c. 33, further amends S. 121 of the Municipal Elections Act, R.S.O. 1980 by substituting , in lieu thereof, a province-wide statutory regime for the registration of candidates for municipal elections, and for the regulation and reporting of municipal election contributions and expenses.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 85-243 is hereby repealed.

PASSED this                      day of                      A.D. 1988.

Deputy City Clerk

Mayor

(1988)      R.L.C.      , July 26

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

By-law No. 81-180

Respecting:

SALE OF PET FOOD

WHEREAS By-law No. 81-180, passed on the 23rd day of June, 1981, in accordance with the City of Hamilton Act, 1964, S.4 and paragraph 1 of section 364 of the Municipal Act, R.S.O. 1970, [now paragraph 65 of section 210 of the Municipal Act, 1980, Chapter 302], as amended, established the Hamilton Farmers' Market in its new location in Lloyd D. Jackson Square and provided for the regulation of same;

AND WHEREAS subsections 11 and 12 of said By-law No. 81-180, as amended, regulates what may be sold at the Hamilton Farmers' Market;

AND WHEREAS it is intended to further amend By-law No. 81-180 so as to permit and regulate the sale of pet food.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Section 11 of By-law No. 81-180 is amended by inserting the letter (a) after the number 11.

(2) Section 11 of By-law No. 81-180 is further amended by adding thereto the following subsection:

(b) Notwithstanding subsection (a), a stallholder may sell, offer for sale or expose for sale foods for pet consumption, provided that the pet food is,

1. displayed, marketed and sold in dry, loose, bulk form only;
2. clearly and conspicuously marked as pet food;
3. displayed, marketed and sold as a product incidental to the sale of goods for human consumption.

2. In all other respects, By-law No. 81-180 is hereby confirmed, unchanged.

PASSED this                      day of                      , A.D. 1988.

Deputy City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 88-

Respecting:

SMOKING IN THE WORKPLACE

WHEREAS it has been determined that environmental tobacco smoke (ETS) is irritating and discomforting, and a hazard to the health of the workers of the City of Hamilton;

AND WHEREAS it is desirable to eliminate the effects of environmental tobacco smoke (ETS) in the workplace in accordance with the provisions of this by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 1(a) of the 6th Report of the Legislation Committee at its meeting held on the 26th day of April, 1988, authorized the preparation of a by-law to regulate smoking in private sector workplaces;

AND WHEREAS the City of Hamilton Act, 198\_\_, which authorizes the Council of The Corporation of the City of Hamilton to enact by-laws to regulate smoking in private sector workplaces within the geographical boundaries of the City of Hamilton, received royal assent on the \_\_\_\_ day of \_\_\_\_\_, 1988;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
  1. "Council" means the Council of The Corporation of the City of Hamilton;
  2. "designated smoking area" means a separate space in a dining room, cafeteria, or lunch room that is set aside for use by smokers and clearly identified as such;
  3. "designated smoking room" means
    - (a) for an office building or other enclosed work space constructed prior to January 1, 1990, an enclosed ventilated space, and
    - (b) for an office building or other enclosed work space constructed on or after January 1, 1990, an enclosed space, independently ventilated directly to the outside,that is set aside for use by smokers and clearly identified as such, but does not include areas normally occupied by non-smokers;
  4. "employee" includes a person who,
    - (a) performs any work for or supplies any services to an employer, in any capacity including a managerial capacity, or



- (b) receives any instructions or training in the activity, business, work, trade, occupation or profession of the employer;
- 5. "employer" includes any person, who as the owner, proprietor, manager, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;
- 6. "enclosed" means closed in by a roof or ceiling and four walls with an appropriate opening or openings for ingress or egress;
- 7. "smoke" or "smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment;
- 8. "smoking policy" means a written policy that attempts to accommodate the preferences of non-smokers and smokers in a workplace;
- 9. "workplace" means any enclosed area of a building or structure in which an employee works, and includes, but is not limited to, a reception area, lobby, corridor, hallway, lunch room, cafeteria, dining room, lounge, or washroom.

#### Workplace Smoking Policy

2. (1) Every employer in the City of Hamilton shall, before the 1st day of September 1988, adopt and implement a smoking policy in respect of each workplace under the control, supervision or ownership of the employer.

(2) Where a workplace is created or comes into existence after the 1st day of September 1988, the employer responsible for such workplace shall, within 7 days after the workplace is created or comes into existence, adopt and implement a smoking policy in respect of each such workplace under the control, supervision or ownership of the employer.

3. Every employer required by this by-law to adopt and implement a smoking policy shall,

- (a) thereafter maintain that smoking policy in the workplace for which it was adopted,
- (b) give written notice of the adoption of the smoking policy to each employee in the workplace within 7 days after the day upon which the smoking policy in respect to that workplace was adopted,
- (c) erect and maintain signs, in accordance with section 10 of this by-law, indicating where smoking is prohibited by the smoking policy, and
- (d) erect and maintain signs, in accordance with section 10 of this by-law, at every entrance to the workplace indicating that smoking is prohibited in certain areas thereof by the smoking policy.

4. (1) The provisions of sections 2 and 3 shall not apply where an employer has already established a policy that totally prohibits smoking in the workplace, and has posted signs to that effect.

(2) Nothing in this by-law shall prevent an employer from establishing a policy, at any time, that totally prohibits smoking in the workplace, and posting signs to that effect.

5. Where an employer's workplace smoking policy does not totally prohibit smoking in the workplace, the policy shall prohibit smoking in the workplace except in designated smoking rooms and designated smoking areas.

6. In establishing the designated smoking rooms and designated smoking areas under section 5, every employer shall take into account the concerns and preferences of both non-smoking and smoking employees.

7. (1) Every designated smoking room shall be fully enclosed and ventilated.

(2) Notwithstanding subsection (1), every employer shall make reasonable efforts to ensure that a designated smoking room is independently ventilated directly to the outside.

(3) (a) Designated smoking areas may be located in a dining room, cafeteria or lunch room only.

(b) Where a designated smoking area is located in a dining room, cafeteria, or lunch room, the provisions of City of Hamilton By-law No. 80-258 respecting Smoking in Public Places, Sections 17 and 18, shall apply.

8. (1) No person shall smoke in a workplace contrary to the smoking policy adopted for that workplace.

(2) No employer shall permit smoking in a workplace contrary to the smoking policy adopted for that workplace.

9. Where an owner is not an employer, the owner shall not interfere with the employer in the performance of any of the duties imposed on an employer under any of the provisions of this by-law.

#### Signs

10. (1) Every sign that prohibits smoking shall comply with the following requirements:

1. Carry the text "NO SMOKING" in upper case or lower case letters, or a combination of both.
2. Consist of two contrasting colours, or consist of lettering contrasting to the background colour where the lettering is applied directly to a surface or is mounted on a clear panel.

3. Consist of lettering not less than the height set out in column 2 of Table 1, for the corresponding maximum viewing distance in direct line of sight, in column 1.

TABLE 1

Distance in Feet (Column 1)	Height in Inches (Column 2)
10 or less	1
20	2
40	3
80	4
160	6
more than 160	8

4. Include in the text at the bottom of each sign, "City of Hamilton By-law No. 88- \_\_\_\_\_ Maximum Fine \$2,000" in letters and figures not less than,
- (a) 1/2 inch in height for signs with letter size of 1 inch, and
- (b) 1/4 of the height of the letters for all other sizes of signs having lettering greater than one inch.

(2) For the purpose of subsection 1, "letter height" means the actual height of the letter whether or not the letter is in lower case or in upper case.

11. (1) Notwithstanding section 10, a graphic symbol in accordance with subsection 4 of this section may be used to indicate no smoking areas.

(2) Every graphic symbol shall comply with the following requirements:

1. Include the text "City of Hamilton By-law No. 88- \_\_\_\_\_ Maximum Fine \$2,000" in letters and figures occupying at least 5% of the diameter of the circle of such symbol.
2. Consist of a white background having,
  - (a) a circle and interdictory stroke in red upon the background, and
  - (b) a cigarette, letters and figures in black, in accordance with the provisions of this section.
3. Consist of one of the following symbols:



4. Consist of a symbol shown in paragraph 3, having a diameter not less than the diameter set out in column 2 of Table 2 for the corresponding maximum viewing distance in direct line of sight, in column 1.

TABLE 2

Distance in Feet (Column 1)	Height in Inches (Column 2)
10 or less	4
20	6
40	8
80	12
160	16
more than 160	24

(3) Notwithstanding subsection (2), every graphic symbol may contain a directional arrow.

(4) Notwithstanding that the content of a graphic symbol contains a cigarette, the prohibition shall include a cigar, pipe or any other lighted smoking equipment.

#### Offence and Penalty

12. Any employer who permits smoking in a workplace contrary to the smoking policy adopted for that workplace is guilty of an offence, and on conviction is liable to a fine not exceeding \$2,000.00, exclusive of costs, for each offence.

13. (1) Any employer who refuses, fails or neglects to perform any of the duties imposed upon an employer under any of the provisions of this by-law is guilty of an offence, and on conviction is liable to a fine not exceeding \$2,000.00, exclusive of costs, for each offence.

(2) Any owner who is not an employer and who interferes with an employer in the performance of any of the duties imposed upon an employer under any of the provisions of this by-law is guilty of an offence, and on conviction is liable to a fine not exceeding \$2,000.00, exclusive of costs for each offence.

14. In addition to the provisions of sections 12 and 13, any person who smokes in contravention of any of the provisions of this by-law is guilty of an offence, and on conviction is liable to a fine not exceeding \$2,000.00, exclusive of costs, for each offence.

15. This by-law shall be enforced by the Licensing Division of the Clerk's Department for The Corporation of the City of Hamilton.



## Amendment to By-law No. 80-258

16. By-law No. 80-258, as amended, respecting Smoking in Public Areas, is further amended by inserting after section 22 the following sections:

22A. None of the provisions of this By-law shall apply so as to permit smoking where smoking is prohibited in a smoking policy adopted under the Workplace Smoking By-law No. 88-\_\_\_\_\_.

22B. Where under this By-law a proprietor is permitted to designate an area as a smoking area, the area so designated as a smoking area shall not include any area where smoking is prohibited under the Workplace Smoking By-law No. 88-\_\_\_\_\_.

## General

17. Any notice required by this by-law to be given by the employer shall be,

- (1) posted and kept continuously displayed in a prominent place which is accessible to all employees in the workplace, and
- (2) personally distributed to each employee in that employee's usual working area in the workplace.

18. In the event of conflict between the provisions of this by-law and By-law No. 80-258, as amended, or any other City of Hamilton by-law, the provisions of this by-law prevail to the extent of the conflict.

19. This by-law comes into effect on the date of enactment.

20. This by-law may be cited as the "Workplace Smoking By-law."

READ A FIRST AND SECOND TIME on the 26th day of  
July , A.D. 1988.

READ A THIRD TIME AND FINALLY PASSED on the  
day of , A.D. 1988.

City Clerk

Mayor



CA3 ON HW AOS

EST A31

1988

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1988 August 30  
7:30 o'clock p.m.  
Council Chambers, City Hall

JT:mjw

### A G E N D A

1. Opening Prayer

Reverend Bruce A. Woods  
Stanley Avenue Baptist Church

2. Presentation

Civic Award - Mr. Dave Custeau - Provincial Junior Ten Pin  
Bowling Championship

3. Proclamations

Ceramic Arts Month - September

World Flower Bulb Week - 1988 September 17 to September 24

4. Minutes

1988 July 26

5. Correspondence

Corrado Planning and Development Services -  
Zoning Application ZA-88-41, Garth Street

URBAN MUNICIPAL  
AUG 30 1988  
GOVERNMENT DOCUMENTS







6. Reports of the Standing Committees - attached
  - (a) Executive Committee
  - (b) Transport and Environment Committee
  - (c) Parks and Recreation Committee
  - (d) Planning and Development Committee
  - (f) Personnel Committee
  - (g) Finance Committee
  - (h) Information Systems Committee
  - (i) Report of the Special Committee to Administer the Hamilton-Scourge Project
7. Notices of Motion from Previous Meetings
  - (a) Alderman G. Copps
  - (b) Alderman D. Agostino
  - (c) Alderman V. J. Agro
8. Notice of Motion for Next Meeting
9. First Reading of the Bills
10. Second Reading of the Bills - Committee of the Whole
11. Third Reading of the Bills
12. Question Period
13. Adjournment



MINUTES





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, JULY 26, 1988  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Smith, Cowell, Gallagher, Merling, Murray, Ross.

Aldermen Wheeler absent due to bereavement.

His Worship Mayor Robert M. Morrow called the meeting to order.

Monseigneur Harvey Roach, St. Francis Xavier Church, Stoney Creek, Ontario, led the Council in prayer.

PRESENTATIONS.

- (a) Mr. Jim Straiton presented to the City of Hamilton a model, which he constructed, of the Schooner "HAMILTON".
- (b) His Worship Mayor Robert M. Morrow presented:
  - (i) City of Hamilton pins to members of the East Hamilton Crown Life Soccer Team, winners of the U.S. Cup Soccer Tournament, Under 12 Division, held in Blaine, Minnesota.
  - (ii) A special citation to Mr. A. Stokan, an employee of HECFI, who found a valuable gold bracelet and returned it to the owner.

The minutes of the meeting of June 28, 1988, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Lastbram Holdings Limited and Exbram Investments Inc., 250 Merton Street, Suite 402, Toronto, Ontario, for a further modification to the zoning for property located at 841 Upper Wentworth Street, dated July 4, 1988.
2. Application from Dan and Doreen Slavic, 48 Dalhousie Street, Hamilton, Ontario, for a change in zoning, property located at 60 Dalhousie Street, dated July 5, 1988.
3. Application from Patrick and Lynda Vuurman, 21 Undermount Avenue, Hamilton, Ontario, for a change in zoning, property located at 17 Fairmount Avenue, dated July 6, 1988.
4. Application from Wellington Chase Inc., c/o 100 Main Street East, Hamilton, Ontario, for a change in zoning, property located on the east side of Upper Wentworth Street in the area south of Balharbour Drive, dated July 7, 1988.

5. Application from Mr. and Mrs. L. D'Angelo, 44 Summerlea Drive, Hamilton, Ontario, for a change in zoning, property located at the rear of 635 Limeridge Road East, dated July 7, 1988.
6. Application from Commisso and Pobega Limited, 707 Barton Street East, Hamilton, Ontario, for a modification to the zoning for property located at 1167 Rymal Road, dated July 13, 1988.
7. Application from Commisso and Pobega Limited, 707 Barton Street East, Hamilton, Ontario, for a modification to the zoning for property located at 130 Lansing Drive, dated July 13, 1988.
8. Application from Karen and Frank Murphy, 55 Forestview Drive, Dundas, Ontario, for a change in zoning, property located at 130, 132, 134, 136 Young Street, dated July 13, 1988.
9. Application from Paling Incorporated, 560 Parkdale Ave. North, Hamilton, Ontario, for a modification to the zoning, property located at 1865 Brampton Street, 90 Mead Avenue, and 100 Mead Avenue, dated July 13, 1988.
10. Application from Karen and Frank Murphy, 55 Forestview Drive, Dundas, Ontario, for a change in zoning, property located at 130, 132, 134, 136 Young Street, dated July 14, 1988.
11. Application from Mr. L. W. Bertrand, 1500 Upper Ottawa Street, Mr. R. Gallagher, 1514 Upper Ottawa Street, and Mr. J. Ferguson, 1522 Upper Ottawa Street, for a change in zoning, properties located at 1500, 1514, 1522 Upper Ottawa Street, dated July 18, 1988.
12. Application from 632734 Ontario Inc., o/a Benemar Developments, 158 Hester Street, Hamilton, Ontario, for a modification to the zoning, property located at 105 Aberdeen Avenue, dated July 18, 1988.
13. Application from Red Lobster Canada, 1417 Kennedy Road, Scarborough, Ontario, for a change in zoning, property located at the rear of 1066 Upper James Street, dated July 19, 1988.
14. Application from Irene Lovell, 120 Stone Church Road West, Hamilton, Ontario, for a change in zoning, property located at 120 Stone Church Road West, dated July 21, 1988.
15. Letter from Mr. Leonard C. Metcalfe, Secretary-Treasurer, Hamilton-Wentworth Non-Smokers' Rights Association, P.O. Box 33, Stoney Creek, Ontario, re amendments to "Smoking in the Workplace By-law", dated July 20, 1988.
16. Letter from Mr. G. Lewis, P.O. Box 113, Winona, Ontario, re "Smoking in the Workplace By-law", dated July 26, 1988.
17. Letter from Mr. A. F. Cupido, P. Eng., Superintendent of Plant Operations, The Hamilton-Wentworth Roman Catholic Separate School Board, 90 Mulberry Street, Hamilton, Ontario, re lease of a portion of the Inverness School property, dated July 25, 1988.

18. Letter from The Ontario Cancer Treatment and Research Foundation, Hamilton, Regional Cancer Centre, Henderson Clinic, 711 Concession Street, Hamilton, Ontario, re "Smoking in the Workplace and Public Places".

\* \* \* \* \*

It was moved by Alderman Smith, seconded by Alderman Cowell, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Christopherson in the chair.

\* \* \* \* \*

(A) EXECUTIVE COMMITTEE - FIFTEENTH REPORT.

It was moved by Alderman Cowell and seconded by Alderman McCulloch.

RESOLVED: that Sub-Clause (vi) of Subsection (b) of Section 8 be amended by adding the following after the second paragraph:

"In the event that the Purchaser does not comply with or is not in the process of complying with reasonable diligence with its covenants and agreements to develop the site, as set out above in accordance with Site Plan Control, within the required time limits as herein before set out, the Purchaser covenants and agrees that the Purchaser shall, if required by the Vendor, immediately or by a date specified by the Vendor, sell, reconvey or transfer the subject land to The Corporation of the City of Hamilton, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever, for the sale price herein (without interest and without any compensation for any alterations, improvements or installations to, in or upon the subject land) and less the deposit and any arrears of realty taxes (including the local improvement charges) and penalty and interest owing thereon." - CARRIED.

\* \* \* \* \*

It was moved by Alderman McCulloch and seconded by Alderman Hinkley.

RESOLVED: that the following be added as Section 12.

"12. That City Council endorse the efforts of the HEALTH CARE TECHNOLOGY TASK FORCE whose goals and objectives are to encourage the development of new, and the expansion of existing business enterprises engaged in advanced technology and innovative products and services, with particular emphasis on medically and scientifically related ventures in Greater Hamilton." - CARRIED.

\* \* \* \* \*



(B) TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT.

Recorded vote on Section 11.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

Section 23 withdrawn by City Council.

\* \* \* \* \*

Recorded vote on Section 27.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

The recommendation of the Executive Committee on Section 28 was carried.

\* \* \* \* \*

The recommendation of the Executive Committee on Section 29 was carried.

\* \* \* \* \*

Recorded vote on Section 44.

YEAS: Mayor Morrow; Aldermen Kiss, Copps, Christopherson, Agostino, Smith, Merling, Murray, Ross. - 9.

NAYS: Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Cowell, Gallagher. - 7. CARRIED.

\* \* \* \* \*

Recorded vote on Section 46.

YEAS: Mayor Morrow; Aldermen Agro, Valeriano, Agostino. - 4.

NAYS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Copps, Christopherson, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 12. LOST.



It was moved by Alderman Merling and seconded by Alderman Hinkley.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the establishment of an Outdoor Boulevard Cafe on the road allowance at No. 1 Wilson Street. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 48:

"48. That the application of Mrs. J. Zissopoulos, owner of the Argo Restaurant located at 1 Wilson Street, requesting permission to establish an Outdoor Boulevard Cafe, measuring 3.35m (11.0') by 10.80m (35.43'), on the Hughson Street North road allowance abutting No. 1 Wilson Street be approved, during the pleasure of City Council provided that:

- (a) The owners prepare a Licencing Agreement, satisfactory to the City Solicitor, and the Commissioner of Engineering, to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) A first year fee of \$676 and subsequent Seasonal Licence (From May 1 to October 31), fee of \$485 'plus any costs that may be assessed or incurred by the Municipality, as a result of the approval granted by this licence' be set for this privilege, which fee shall be due and payable to the Corporation of the City of Hamilton 30 days from the date of this resolution, satisfactory to the City Solicitor.
- (c) The owners may occupy the licenced area of the boulevard from May 1 to October 31, and furniture, equipment, etc., must be removed from the area at all other times.
- (d) The owners provide proof of \$1,000,000. public liability insurance, naming the City of Hamilton as an added insured party, with a provision for cross-liability, and deliver the policy, or a certified copy or certificate thereof to the City Solicitor, and maintain the policy during the currency of the agreement, and deliver annually a renewal certificate of the policy to the City Clerk.

(e) The owners conform, without exception, to the 'Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafes', as adopted by Council on August 28, 1984; and as amended on July 30, 1985.

(f) This proposal meet with the approval of the Ward Aldermen." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Valeriano.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the relocation of a telephone poll from in front of the driveway of the property at 20 Tracy Place. -

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Valeriano, Copps, Christopherson, Agostino, Smith. - 8.

NAYS: Aldermen Cooke, McCulloch, Hinkley, Cowell, Gallagher, Merling, Murray, Ross. - 8. LOST.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT.

It was moved by Aldermen Gallagher and seconded by Alderman Merling.

RESOLVED: that Subsection (a) of Section 1 be amended by deleting the words "as a Seniors Centre" and inserting in lieu thereof the words "for a number of cultural and recreational uses, one of the possible uses being a Seniors Centre." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Valeriano and seconded by Alderman McCulloch.

RESOLVED: that Subsection (b) of Section 1 be amended by deleting the section in its entirety, reading as follows:

"(b) That the Finance Committee be requested to recommend the method of financing the amount of \$15,000. for this project.",

and replacing same with the following:

"(b) That the estimated cost of this study, in the amount of \$15,000. be financed

from within the global budget under the jurisdiction of the Parks and Recreation Committee. -

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Smith, Cowell, Ross. - 11.

NAYS: Mayor Morrow; Aldermen Agostino, Gallagher, Merling, Murray. - 5. CARRIED.

\*\*\*\*\*

It was moved by Alderman Cowell and seconded by Alderman Smith.

RESOLVED: that the following be added as Subsection (c) of Section 1.

"(c) That the appropriate staff be directed to negotiate a one year lease for a portion of Inverness School and temporary senior citizen accommodations, and report back to the Parks and Recreation Committee regarding the feasibility and upset costs. - CARRIED.

\*\*\*\*\*

Recorded vote on Section 1, as amended:

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Valeriano, Copps, Christopherson, Agostino, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Aldermen Cooke, Hinkley. - 2. CARRIED.

\*\*\*\*\*

Section 2 was withdrawn by City Council.

\*\*\*\*\*

The recommendation of the Executive Committee on Section 4 was carried.

\*\*\*\*\*

Recorded vote on Section 7.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Christopherson, Smith, Gallagher, Ross. - 10.

NAYS: Alderman Copps. - 1. CARRIED.

\*\*\*\*\*



It was moved by Mayor Morrow and seconded by Alderman Murray.

RESOLVED: that Section 11 be amended by deleting the word "instructed" in the second line and substituting in lieu thereof the word "requested". - CARRIED.

\* \* \* \* \*

Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Christopherson, Smith, Cowell, Murray, Ross. - 11.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - SIXTEENTH REPORT.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution to redefine the definition of the word "family" in Zoning By-law No. 6593. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Merling.

RESOLVED: that the motion of Alderman Cooke respecting an amendment to the definition of the word "Family" in Zoning By-law No. 6593, be referred to the Planning and Development Committee. -

YEAS: Aldermen Agostino, Gallagher, Merling, Murray. - 4.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Smith, Cowell, Ross. - 12. LOST.

\* \* \* \* \*

Recorded vote on the previous question which was the resolution of Alderman Cooke regarding the definition of "family". -

YEAS: Aldermen Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 12.



NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agostino. - 4. CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following be added as Section 29:

"29. That Zoning By-law No. 6593 be amended to provide for the following definition of 'Family':

'Family Shall Mean:

1. one person with or without the accommodation of not more than three lodgers,
2. any number of persons related to each other by blood, marriage, legal adoption, or foster parentage, with or without the accommodation of not more than three lodgers.
3. any number of persons, two of whom live together in a conjugal relationship outside marriage and either one or both of whom are related to the remainder by blood, marriage, or legal adoption, or foster parentage, with or without the accommodation of not more than three lodgers.
4. five or fewer persons, irrespective of the relationship, if any, between them,  
  
occupying premises and living as a single housekeeping unit;  
  
but does not include a person or group of persons occupying:
5. a residential care facility, a short term care facility, a room or suite in a hotel, hostel, or lodging home, tourist home and any institutional accommodation.

That the City Solicitor be requested to prepare the necessary By-law for submission to the Planning and Development Committee and City Council. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Copps, Agostino, Murray, Ross. - 10.

NAYS: Aldermen Hinkley, Christopherson, Smith, Cowell, Gallagher, Merling. - 6. CARRIED.

\* \* \* \* \*

(E) LEGISLATION COMMITTEE - NINTH REPORT.

Recorded vote on Subsection (d) of Section 21.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Valeriano,  
Hinkley, Copps, Christopherson, Agostino,  
Smith, Ross. - 10.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

\* \* \* \* \*

(F) PERSONNEL COMMITTEE - NINTH REPORT.

\* \* \* \* \*

(G) FINANCE COMMITTEE - TWELFTH REPORT.

\* \* \* \* \*

It was moved by Alderman Smith and seconded by Alderman Ross.

RESOLVED: that Alderman D. Agostino be appointed Acting Mayor for the  
month of August, 1988. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Smith and seconded by Alderman Cowell.

RESOLVED: that the Report of the Committee of the Whole on the  
above reports, as amended, and resolutions, be adopted.-

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Valeriano, Hinkley, Copps,  
Christopherson, Agostino, Smith, Cowell, Gallagher, Ross. - 12.

NAYS: 0. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Smith and seconded by Alderman Cowell.

RESOLVED: that the following Bills be now read a first time:

A-18,  
B-58, B-59, B-60, B-61, B-62, B-63, B-64,  
C-2,  
D-81, D-82, D-83, D-84, D-85, D-86, D-87, D-88, D-89,  
D-90, D-91, D-92,  
E-10, E-11, E-12, E-13 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Smith, seconded by Alderman Cowell, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Christopherson in the chair:

A-18,  
B-58, B-59, B-60, B-61, B-62, B-63, B-64,  
C-2,  
D-81, D-82, D-83, D-84, D-85, D-86, D-87, D-88, D-89,  
D-90, D-91, D-92,  
E-10, E-11, E-12, E-13.

\*\*\*\*\*

Consideration of the Bills (second reading).

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Cowell.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Copps, Christopherson, Agostino, Smith, Cowell, Gallagher, Ross. - 13.

NAYS: 0 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Cowell.

RESOLVED: that the following Bills be now read a third time:

A-18,  
B-58, B-59, B-60, B-61, B-62, B-63, B-64,  
C-2,  
D-81, D-82, D-83, D-84, D-85, D-86, D-87, D-88, D-89,  
D-90, D-91, D-92,  
E-10, E-11, E-12 - CARRIED.

\*\*\*\*\*

NOTICES OF MOTION

Alderman Agostino gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

"RESOLVED: that the City of Hamilton request the Federal Government to enact legislation in order to require Cable Companies to appear before the C.R.T.C. to justify and seek approval for any rate increases exceeding 4%."

\*\*\*\*\*

Alderman Agro gave notice that he would move the following Notice of Motion at the next regular meeting of City Council:

- "RESOLVED: a) That, in keeping with the strong Committee system, and on the basis that each Ward be represented on all Standing Committees, the Finance Committee assume all of the duties and responsibilities of the Executive Committee.
- b) That the Mayor, by virtue of his office, be Chairman of the Finance Committee.
- c) That the Vice-Chairman of the Finance Committee be appointed by City Council.
- d) That this change be effective December 1988.
- e) That the City of Hamilton Procedural By-law No. 82-203 be amended to reflect this change."

\* \* \* \* \*

CITY COUNCIL ADJOURNED AT 12.10 A.M., WEDNESDAY, JULY 27, 1988.

\* \* \* \* \*



C O R R E S P O N D E N C E



# Corrado Planning and Development Services

Affiliations: Corad Developments Limited, Corad Planning Corporation

RECEIVED

AUG 25 1988

2 20 PM

CITY CLERKS

416-575-1400

August 25, 1988

HAMILTON CITY HALL  
71 Main Street West  
HAMILTON, Ontario

ATT: CHAIRMAN OF THE PLANNING AND DEVELOPMENT COMMITTEE  
Mr. John Smith

Dear Sir:

Re: Zoning Application ZA-88-41

On August 17th, the Planning and Development Committee voted to refuse our proposal for a large scale multiple-housing development on Garth Street.

Our proposal was for a density of 50 units per acre. We wish at this time to ask Council to defer a decision on the original proposal.

We would like Council to defer their decision and refer the matter back to the Planning Department Staff so that we could amend our proposal to a density and Land Use that would be in a better harmony with the concerns of the neighbours and the Planning Staff.

We respectfully request this in order to save time and money, otherwise we would have to start the process all over again unnecessarily and would cost us hundreds of thousands of dollars in carrying charges and any further delays in the process may cost us the entire project due to unforeseen market forces in the next year or two.

I was surprised by the committee's decision not to defer the application until the applicant would have the opportunity to amend the proposal as was the practice in the past.

If council will indulge us in our request we would be able to have a revised plan by not later than September 15th, 1988 and it would be received by Committee by December 15th, 1988.





As a matter of record, neither I nor any of my staff were consulted or informed of the decision of the Planning Department Staff and the outcome of the Planning Staff's Report and the opposition by the Neighbourhood was a total and complete surprise to me.

In light of the foregoing, I would hope that we have convinced you that it would be fair to allow the deferment back to the Planning Staff so that we could have the opportunity to amend the proposal. I REMAIN

SINCERELY,

A handwritten signature in cursive script, appearing to read "N. J. Corrado".

NICHOLAS J. CORRADO

cc CITY CLERK ✓









## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its SIXTEENTH Report for 1988 and respectfully recommends:

1. (a) That the matter regarding the proposed amalgamation of the Regional and City Litigation Services not be proceeded with at this time.  
  
(b) That the City continue with the Litigation Services of Ross & McBride until such time as the vacancy in the City Solicitor's Department for the position of Litigation Counsel has been filled.  
  
(c) That the Personnel Committee be requested to undertake the appropriate rehiring.
2. (a) That the account of Martin & Martin, Barristers and Solicitors, in the sum of \$906.25 for services rendered between October 31, 1987 to May 31, 1988, on behalf of the City in connection with the Hamilton Eaton Centre Project be approved for payment.  
  
(b) That the payment for this account be financed from the Reserve for Property Purchases, Account No. 0280-02.
3. (a) That approval be given for the City as a part of the Third Part to enter into an Agreement with Cadillac Fairview Corporation Limited and Eaton Properties Limited with respect to the erection and maintenance of a pedestrian bridge over York Boulevard connecting the Hamilton Eaton Centre to the York Boulevard Parkade, provided that:
  - (i) the owner(s) construct and maintain the bridge in a satisfactory manner.
  - (ii) the owner(s) maintain \$5 000 000 public liability insurance, to be reviewed every five (5) years and adjusted to reflect amounts of adequate coverage as stipulated by the City and the Region. The City shall be an added insured party and the policy will save the City harmless from all actions, interests, claims, demands, costs, damages, expenses and loss arising from the permission granted to cross the road allowance and connect to the Parkade structure.
- (b) That the Mayor and City Clerk be authorized to execute the Hamilton Eaton Centre Bridge Agreement which shall be in a form satisfactory to Mr. M. Luxton, Solicitor, representing the City.

4. (a) That the project, Major Maintenance to Civic Buildings at a gross cost of \$250 000 as approved for in the 1988 portion of the 1988-1992 Capital Budget be proceeded with at this time.
- (b) That the Director of Property be authorized and directed to undertake this work.
- (c) That the gross cost of \$250 000 be financed from the Reserve for Capital Projects, Account No. 0280-27.
5. (a) That the following Capital Projects, at a gross cost of \$152 000, as approved for in the 1987 portion of the 1987-1991 Capital Budget, be proceeded with at this time:
  - (i) construction of an 80' salt dome at the new B.A. Court Yard at the Turner Farm at an estimated cost of \$80 000;
  - (ii) the purchase of a TS 150 Terra Saeen Screening Plant (or approved equal) with appropriate modifications at an estimated cost of \$72 000.
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board to amend Section "A", Ontario Municipal Board Order No. E870318 to include the works described in Section (a) above.
- (c) That the cost of these works be financed from the excess funds in the original Account No. 0408-V7288.
6. (a) That the construction of an independent concrete sidewalk on the east side of Lake Avenue between Huckleberry Drive and Delawana Drive be proceeded with as a local improvement at an estimated gross cost of \$32 000, which represents a \$13 400 increase over the gross cost of \$18 600 approved by Council on June 28, 1988 as Section 6 of the Fourteenth Report of the Executive Committee.
- (b) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to increase costs in the gross amount of \$13 400 being the City's share, to complete the financing for the construction of an independent concrete sidewalk on the east side of Lake Avenue between Huckleberry Drive and Delawana Drive, by the issuance of additional debentures totalling \$13 400 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue additional debentures in the amount of \$13 400 for a term not to exceed 15 years.

- (c) That the total cost of \$32 000 be financed from the Reserve for Capital Projects, Account No. 0280-27 on an interim basis pending O.M.B. approval at a later date.

NOTE: In order to expedite this local improvement, it is recommended that funding be approved from the Reserve for Capital Projects on a temporary basis until such time as O.M.B. approval is received.

The members of the Transport and Environment Committee have approved of the increase in the City's portion of the cost.

7. That leave be granted to introduce the following Bill:

- (a) Bill A-19: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN W. M. McCULLOCH  
ACTING CHAIRMAN  
EXECUTIVE COMMITTEE

John Thompson  
Acting Secretary  
1988 August 25  
/bc









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its TWELFTH Report for 1988 and respectfully recommends:

1. That a purchase order be issued to Fortran Traffic Systems, Scarborough, in the amount of \$15 832.58 for the supply and delivery of Traffic Signal Heads, Traffic Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Stock Material, Traffic Signals Account No. 0394-3323.

2. That the Option to Purchase part of the property known as 1610 and 1620 Upper Gage Avenue executed by Hilliard Clark Harnden on 1988 July 12 and scheduled for closing on or before 1988 October 14, be approved and completed.

NOTE: The subject property is required by the City for the extension of Eaglewood Drive and is composed of part of Lot 7, Concession 8, in the former Township of Barton, now in the City of Hamilton. The subject property contains 356.01 square metres (3,832 square feet) and is shown as Parts 2, 4, 5 and 7 on Reference Plan 62R-9574. The purchase price of \$251, reflecting a nominal \$1 for the market value of the realty and \$250 as an allowance towards legal fees, is to be charged to Account No. 0280-02.

3. That the Option to Purchase part of the property known as 1614 and 1626 Upper Gage Avenue executed by Helen Ann Anderson on 1988 July 12 and scheduled for closing on or before 1988 October 24, be approved and completed.

NOTE: The subject property is required by the City for the extension of Eaglewood Drive and is composed of part of Lot 7, Concession 8, in the former Township of Barton, now in the City of Hamilton. The subject property contains 151.21 square metres (1,627 square feet) and is shown as Parts 1, 3, 6 and 8 on Reference Plan 62R-9574. The purchase price of \$251, reflecting a nominal \$1 for the market value of the realty and \$250 as an allowance towards legal fees, is to be charged to Account No. 0280-02.

4. That an Option to Purchase a parcel of land for the establishment of Rita Avenue being rear land Upper Gage Avenue executed by 660555 Ontario Ltd. on 1988 July 22nd, and scheduled for closing on or before 1988 October 25th, be approved and completed.

NOTE: The subject property being Parts 1 & 2 on 62R-9553 which is required by the City for roadway purposes to be known as Rita Avenue having a total area of 653.71 square metres (approximately 7036.7 square feet). The purchase price of \$2 is to be charged to Account No. 0280-02.

5. (a) That an Option to purchase a parcel of land for the establishment of Royal Vista Drive being part of 1515 Upper Gage Avenue executed by 660555 Ontario Ltd. on 1988 July 22nd, and scheduled for closing on or before 1988 October 25th, be approved and completed, and
- (b) That the City of Hamilton accept and approve the Authority to Enter Agreement granted to the City by 660555 Ontario ltd.

NOTE: The subject property being Parts 1, 2 & 3 on 62R-9377 is required by the City for roadway purposes to be known as Royal Vista Drive having a total area of 2,760.70 square metres (approximately 29,717 square feet). The purchase price of \$2 is to be charged to Account No. 0280-02.

6. That authorization be given to tender the New Public Works Yard/Building - Rymal Road.

7. (a) That the City endorse the proposed Draft Plan of Subdivision known as "Wheten Court" for the Warren Street Public Works Yard, and
- (b) That the City Solicitor be authorized to proceed with the Land Titles application and to take all steps necessary to proceed with the registration of Wheten Court, and
- (c) That the Regional Engineering Department on behalf of the City of Hamilton be authorized to proceed with the design work necessary to implement this plan of subdivision, and



- (d) That upon the Public Works Department abandoning this yard:
- i. - the Engineering Department be authorized to have the services and roads constructed
  - ii. the Real Estate Division of the Property Department to proceed with demolition of the existing structures located on the site, and;
- (e) That all the development costs (services, roads, levies) being approximately \$400 000 be charged to Account No. 0280-02 - Reserve for Property Purchases, and;
- (f) That upon the eventual sale of the subject lots, the proceeds will be apportioned as follows:-
- i. actual development cost to be credited to the Reserve for Property Purchases
  - ii. the balance of the proceeds being approximately \$500 000 to \$600 000 be credited to the Capital Budget through Project No. 05-051-37278 (the new public works yard on Rymal Road East).

NOTE: City Council on 1987 March 10, approved the construction of the Mountain Public Works Yard on Rymal Road East and the financing of the project on a net basis.

By financing the project on a net basis, the former Warren Street Public Works Yard site would be sold to off-set some of the costs of constructing the new public works site on Rymal Road East.

In order to maximize the profits from the sale of the Warren Street site, the Property Department will be acting as a developer by bringing on a plan of subdivision of single family lots.

The aforementioned recommendation authorizes the necessary approvals required to proceed with the development.

The Rymal Road East site is not expected to be completed until the end of 1989, and in order for the City to be ready for disposal of the Warren Street site, the proposed plan of subdivision must be commenced as soon as possible.

8. That an Offer to Purchase 332 Magnolia Drive executed by Glen Arnold Zwicker and Suzanne Ruth Zwicker, on 1988 August 11, be approved and completed.

NOTE: The property to be sold is composed of Lot 42, Plan 178 and the eastern half of Block A, Plan 178, having a frontage along the southerly limits of Magnolia Drive of 11.43 metres (37.54 feet) by a depth of 45.72 metres (150 feet) containing an area of .052 hectares (.129 acres) together with all structures erected thereon and known as Municipal No. 332 Magnolia Drive, along with Schedules "A" and "B" which form a part of the Offer to Purchase for the sale price of \$116 000, which is to be credited to Account No. 0408-X95056.

A certified deposit cheque in the amount of \$5 000 is being held by the City Treasurer pending Council approval of this transaction.

9. That an Authority to Enter the property shown as Part 2, on Reference Plan 4377, executed by A. DeSantis on behalf of A. DeSantis Developments Limited, on 1988 July 19, be approved.

NOTE: Subject lands will eventually form part of the road allowance of Greenhill Avenue.

10. That the fee for installing a banner over Main Street be increased from \$125 to \$150.

11. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Barney Rosenblatt and Ruco Investments Limited (Mayfair Apartments) for the collection of garbage at 455 Upper Gage Avenue.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

12. That with respect to the vacant land portion of 12 Centennial Parkway South (measuring approximately 42 sq.ft. x 163 ft.), expropriated by Expropriation Plan 223432 L.T. on 1988 May 06 for highway and municipal purposes (to extend Greenhill Avenue) pursuant to Expropriation By-law 88-74 enacted on 1988 March 08, the City Clerk be authorized and directed to:

- (a) Sign and serve Notice in accordance with section 41 of The Expropriation Act that possession of the expropriated land is required; and

- ii. \$1                      Tenant:                      S & B Farming Ltd.

- (d) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed street is to be distributed to the abutting owner(s), and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor; and
- (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of The Regional Act; and
- (f) That the City Solicitor make application to the Ministry of the Housing under Section 443(8) of The Municipal Act for approval of the By-law.

15. That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 20 (0.305 m Reserve) Plan 62M-382 into Southpark Avenue, as shown in heavy outline on Regional Municipality of Hamilton-Wentworth Plan RAH-448 Surveys, attached hereto and marked Appendix "A".

NOTE: The City of Hamilton is the owner of said Block 20 and it is necessary that it be incorporated to provide access to and hook up the two subdivisions shown on the referenced Plan.

16. That the application of Mr. J. Brown, Solicitor on behalf of the present owner of 1565 Rymal Road East, 683595 Ontario Inc., to retain the inadvertent encroachment consisting of a metal siding garage encroaching onto Pritchard Road by 2.49 m x 5.25 m, be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
  - (b) That a first year fee of \$125, and subsequent annual fee of \$20 be set for this privilege; and
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.



17. That the application of Mr. G. Chertkoff, Solicitor on behalf of the present owner of 196 Canada Street, Claude and Suzanne Dagenais, to retain the inadvertent encroachment consisting of a wood porch and steps measuring 0.67 m x 3.60 m, be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
  - (b) That a first year fee of \$125, and subsequent annual fee of \$20 be set for this privilege; and
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
18. That the application of Mr. M. Bartolini, Solicitor on behalf of the present owner of 715 Cannon Street East, Eduardo Genuardi, to retain the inadvertent encroachment consisting of concrete steps measuring 0.03 m x 1.22 m, be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
  - (b) That a first year fee of \$125, and subsequent annual fee of \$20 be set for this privilege; and
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
19. That Section 5 of the Fifteenth Report for 1987 of the Transport and Environment Committee, adopted by Council on 1987 October 27 be rescinded.

NOTE: An application for an encroachment agreement was approved by City Council on 1987 October 27. However, after numerous reminders from the Office of the City Solicitor, the applicant failed to return the executed agreements.

20. (a) That the "Hamilton AIDS Network for Dialogue and Support" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1989 October 02 to 1989 October 09, subject to the policy guidelines and conditions approved by Council on 1985 October 29, 1986 September 30 and 1987 January 13, with the following message:

"AIDS AWARENESS WEEK"  
CALL HANDS 528-0537

- (b) That the "Ontario Marketing Productions Limited" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1989 February 27 to 1989 March 06 and 1989 September 18 to 1989 September 25, subject to the policy guidelines and conditions approved by Council on 1985 October 29, 1986 September 30 and 1987 January 13, with the following message:

"HAMILTON HOME SHOW"  
March 2-5  
Hamilton Convention Centre

and

"HAMILTON HOME IMPROVEMENT SHOW"  
September 21-24  
Hamilton Convention Centre

- (c) That the "Hamilton Chiropractic Society" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1989 May 01 to 1989 May 08 subject to the policy guidelines and conditions approved by Council on 1985 October 29, 1986 September 30 and 1987 January 13, with the following message:

"SPINAL HEALTH WEEK MAY 1 - 7  
BY THE LOCAL CHIROPRACTIC SOCIETY

- (d) That the "Big Sisters Association of Hamilton and District Inc." be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1989 June 05 to 1989 June 12 subject to the policy guidelines and conditions approved by Council on 1985 October 29, 1986 September 30 and 1987 January 13, with the following message:

"BIG SISTERS ASSOCIATION OF HAMILTON  
AND DISTRICT INC." 'LOGO'

- (e) That the "91st Highlanders Athletic Association" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1988 December 19 to 1988 December 26, and from 1989 January 09 to 1989 January 16, subject to the policy guidelines and conditions approved by City Council on 1985 October 29, 1986 September 30 and 1987 January 13, with the following message:

"HAMILTON SPECTATOR INDOOR GAMES"  
COPPS COLISEUM, JANUARY 13, 1989 - 7:15 P.M.

21. (a) That the submitted schedules for the estimated cost of services in "Abbey Hill Farm - Phase 1", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing, that he enters into a Standard Agreement for Pre-Servicing; and
- (d) That the City's Share of the cost of services for the development (\$355 832) be approved, and that the Executive Committee recommend the source of funding for this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$355 832 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

22. (a) That the submitted schedules for the estimated cost of services in "Red Hill Manor - No. 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and



- (d) That the City's Share of the cost of services for the development (\$21 034.72) be approved, and that the Executive Committee recommend the source of funding for this project.
- (e) That the City Solicitor be authorized and directed to prepare appropriate By-law(s) to incorporate Block "C", Registered Plan 1437 into the Montmorency Court road allowance; and Block "D", Registered Plan 1437, and Block 31, Plan 62M-393 into the Montmorency Drive road allowance. The said By-law(s) for these lands is (are) to be registered following the registration of the plan of subdivision for "Red Hill Manor - No. 2", Hamilton.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$21 034.72 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 23. (a) That the submitted schedules for the estimated cost of services in "Lillian Heights - Phase 1", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and
- (d) That the City's Share of the cost of services for the development (\$156 260) be approved, and that the Executive Committee recommend the source of funding for this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$156 260 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 24. (a) That the submitted schedules for the estimated cost of services in "Templemead No. 1 Survey - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and



- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and
- (d) That the City's Share of the cost of services for the development (\$318 383) be approved, and that the Executive Committee recommend the source of funding for this project; and
- (e) That the City Solicitor be authorized and directed to prepare appropriate By-law(s) to incorporate the following Parts into the respective noted road allowances:
  - i. Part 4, Plan 62R-9557 - into the Templemead Drive road allowance
  - ii. Part 1, Plan 62R-9557 - into the Mount Pleasant Drive road allowance
  - iii. Part 1, Plan 62R-9471 - into the Templemead Drive road allowance
  - iv. Part 1, Plan 62R-9553 - into the Rita Avenue road allowance
  - v. 0.3 m Reserves - Blocks 51 and 53, Plan 62M-484 - into the Templemead Drive road allowance
  - vi. 0.3 m Reserves - Parts 13, 15, and 16, Plan 62R-9377 - into the Templemead Drive and Royalvista Drive road allowances
  - vii. 0.3 m Reserve - Block 20, Plan 62M-505 - into the Templemead Drive road allowance; and
- (f) That said By-law(s) for these lands is(are) to be registered following the registration of the Plan of Subdivision for "Templemead No. 1 Survey - Phase 2", Hamilton.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$318 383 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 25. (a) That the submitted schedules for the estimated cost of services in "Bentwood Place", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and
- (d) That the City's Share of the cost of services for the development (\$55 342) be approved, and that the Executive Committee recommend the source of funding for this project; and
- (e) That the Final Plan of Subdivision for "Bentwood Place" not be released for registration until the Final Plan of Subdivision for "Templemead No. 1 Survey - Phase 2" has been registered.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$55 342 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 26.
- (a) That the submitted schedules for the estimated cost of services in "Highridge Hills - Stage 1", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
  - (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and
  - (d) That the City's Share of the cost of services for the development (\$160 752.61) be approved, and that the Executive Committee recommend the source of funding for this project; and
  - (e) That the City Solicitor be directed to apply to the Regional Municipality of Hamilton-Wentworth for approval to establish Atherley Drive pursuant to Section 48(3) of the Regional Municipality of Hamilton-Wentworth Act.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$160 752.61 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 27.
- (a) That the submitted schedules for the estimated cost of services in "Oakdale Estates - Phase 1", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
  - (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and
  - (d) That the City's Share of the cost of services for the development (\$208 713.24) be approved, and that the Executive Committee recommend the source of funding for this project; and
  - (e) That the City Solicitor be authorized and directed to prepare a By-law to incorporate the 0.3m Reserve, Block 123 on Plan 62M-516, into Brigade Drive. The said By-law for this parcel of land is to be registered following the registration of the Plan of Subdivision for "Oakdale Estates - Phase 1", Hamilton.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$208 713.24 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 28.
- (a) That the submitted schedules for the estimated cost of services on "Leggett Crescent", Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
  - (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement between the City of Hamilton and the Owner; and
  - (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Modified Subdivision Agreement has been registered; and
  - (d) That in the event the Subdivider wishes to proceed prior to the registration of the Modified Subdivision Agreement, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and



- (e) That the City's Share of the cost of services for the development (\$12 910) be approved, and that the Executive Committee recommend the source of funding for this project; and
- (f) That the City Solicitor be authorized and directed to prepare the appropriate By-law(s) to incorporate Part "5", on Reference Plan No. 62R-4626 and Block "10", Plan 62M-412, into the Leggett Crescent road allowance.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$12 910 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 29. That the Local Approvals Branch of the Ontario Ministry of the Environment be informed that:
  - (a) The City of Hamilton has no objection to the proposed work being carried out, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-laws are complied with fully; and
  - (b) The 30 day notification period that is normally required after a Site Certificate of Approval is issued be waived so that the proposed work can be carried out as scheduled.
- 30. That the Amended Resolution contained in Section 61 of the 10th Report for 1988 of the Transport and Environment Committee approved by City Council on 1988 June 28 be reconfirmed.

NOTE: This resolution reads as follows:

That the Sale of Gosford Drive be delayed until the Freeway Steering Committee has an opportunity at its next meeting to investigate and report back to the Transport and Environment Committee with a recommendation which would accommodate the re-opening of Gosford Drive to Gilcrest in the Gurnett Neighbourhood.

- 31.
  - (a) That the Building Commissioner be authorized to issue an Order to Comply to the owners of vacant subdivision lands at the rear of Monte Drive and Pavarotti Court for clean-up and elimination of surface drainage from these lands onto private property, and
  - (b) That if these works are not done within the required time frame, that the Director of Public Works be authorized to complete the work and levy the costs against the owner of these lands.



32. That the Commissioner of Engineering be directed to meet with the owner of property located at 110 San Francisco Drive for the purpose of the City of Hamilton entering into a cost-sharing arrangement in the reconstruction of the retaining wall abutting the above noted property.

33. That Section 59(n) of the ELEVENTH Report for 1988 of the Transport and Environment Committee approved by City Council on 1988 June 28th be rescinded.

NOTE: This resolution was to prohibit parking on the south side of Bold Street between Pearl and Ray Streets.

34. That the City of Hamilton pay to Mr. Frank Toth, the sum of \$6 480, being the value of those excess lands being dedicated to the City for Rexford Drive road allowance purposes. Payment is to be made after the City receives a duplicate registered copy of the Deed for the subject lands.

NOTE: Parts "11" and "12", Plan 62R-9500 are being transferred to the City as a condition of a Modified Subdivision Agreement and the approval for Land Severance Applications H-39 to 42-88. The amount of lands being transferred exceed one-half the width of a standard road allowance, which is the maximum amount of lands which a Developer is required to dedicate to a Municipality under the Planning Act.

35. That the application of Jacqui Rotterman on behalf of the International Village B.I.A. (205 Hunter Street West, Suite 806, Hamilton, L8P 1R8) to close the following Streets;

(a) Mary Street from King Street to King William Street

(b) Walnut Street from King William Street to Main Street

(c) Ferguson Avenue from King William Street to just north of the municipal parking lot of Main Street

in order to hold a one day Streetfest on Saturday, 1988 September 24, from 8:00 a.m. to 6:00 p.m., be approved during the pleasure of Council provided:

i. That all signing and barricading will be subject to the director of the Regional Police Department and at no cost to the City.

ii. That clean-up will be carried out immediately before the re-opening of the road at no cost to the City.

- iii. That the organizing group provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability and holds the City harmless from all actions, interests, claims, demands, costs, damages, expenses and loss.
  - iv. That the organizing group reimburse the Regional Police Department and the Department of Public Works for any extra costs incurred by these agencies.
  - v. That no property owner within the barricaded area will be denied access to their property upon request.
  - vi. That the organizing group ensure that suitable detour arrangements will be available during the duration of the closure.
36. (a) That the existing "No Parking - Loading Only, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Mulberry Street commencing at a point 40 feet east of MacNab Street North and extending to a point 25 feet easterly therefrom be extended, such that the regulation commences at a point 40 feet east of MacNab Street North and extends to a point 42 feet easterly therefrom; and
- (b) That a "No Stopping, Wheelchair Loading Only", regulation be implemented on the south side of Guise Street commencing at a point 80 feet east of James Street North and extending to a point 31 feet easterly therefrom; and
- (c) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Hummingbird Lane, commencing at a point 542 feet south of the south curb line of Bobolink Road and extending to a point 80 feet southerly therefrom; and
- (d) That a stopping prohibition be implemented on both sides of Thorndale Avenue between Main Street West and a point 50 feet northerly therefrom; and
- (e) That the existing parking prohibition on the east side of David Avenue between South Bend Road and a point 90 feet southerly therefrom be lengthened, such that the regulation extends to a point 171 feet southerly therefrom; and
- (f) That City Traffic By-law 66-100 be amended accordingly.

37. (a) That the Anslie Wood, Anslie Wood North, Anslie Wood East and Anslie Wood West Neighbourhoods be designated as Neighbourhood Watch Areas; and
- (b) That Neighbourhood Watch signs for Anslie Wood, Anslie Wood North, Anslie Wood East and Anslie Wood West neighbourhoods be erected and maintained by the City Traffic Department, as long as these neighbourhoods maintain an active neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to Account No. 0345-0560 (Neighbourhood Watch Program).
38. That, in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department;
- (a) That a School Traffic Officer be assigned to the intersection of Barton Street East and Nash Road North; and
- (b) That contrary to the City Council directive of 1988 June 28 which directs that new unbudgeted programs be financed from within the departmental budgets, the Finance Committee be requested to recommend a method of financing \$1 750 to cover the cost of assigning a School Traffic Officer to this location for the remainder of 1988.
39. That, in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department;
- (a) That a School Traffic Officer be assigned to Woodward Avenue in front of the entrance to Woodward Avenue School; and
- (b) That contrary to the City Council directive of 1988 June 28 which directs that new unbudgeted programs be financed from within the departmental budgets, the Finance Committee be requested to recommend a method of financing \$1 750 to cover the cost of assigning a School Traffic Officer to this location for the remainder of 1988.



40. (a) That a parking prohibition be implemented on the west side of Locke Street South commencing at a point 42 feet south of Canada Street and extending to a point 22 feet southerly therefrom; and
- (b) That the existing "No Parking - Loading Only" regulation on the south side of Canada Street commencing at a point 25 feet west of Locke Street South and extending to a point 22 feet westerly therefrom be rescinded; and
- (c) That a parking prohibition be implemented on the south side of Colbourne Street between James Street North and a point 82 feet westerly therefrom; and
- (d) That City Traffic By-law 66-100 be amended accordingly.
41. (a) That the existing residential boulevard parking agreement between the City and Mr. Samuel Vrantzis, registered as Instrument No. 170545 C.D. to the property at 80 Sanford Avenue South, be discharged at the property owner's expense; and
- (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.
42. That the application by Tien Nguyen to lease a portion of the boulevard of Fullerton Avenue adjacent to Nos. 583-587 Barton Street East be approved, provided that:
- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$100 per year) plus taxes, if any, in addition to the \$10 encroachment insurance charge approved by the City Council 1984 February 14.
- (b) the owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
- (c) the owner pays a one time \$150 processing fee, as approved by the City Council on 1988 January 12.
- (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24th, respecting using a portion of road allowance for parking purposes.
- (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.



- (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
43. (a) That in accordance with the request of the Hamilton Street Railway Company, the following bus stop relocation be approved:
- i. Nash Route - Northbound - Delete - Ambrose Avenue at Greenhill (F/S)  
- Add - Ambrose At Veevers Drive (N/S)
  - ii. Delaware - Main West - Add - Rosedale at Dumbarton Route
- (b) That City Traffic By-law 66-100 be amended accordingly.
44. (a) That a "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the south side of Macallum Street commencing at a point 337 feet west of Wentworth Street North and extending to a point 20 feet westerly therefrom; and
- (b) That a "Permit Parking" regulation be implemented on the west side of Park Street North between Barton Street West and Colbourne Street; and
- (c) The Director of Traffic Services be authorized to issue one parking permit to each of the first seven applicants residing in the Park Street North block and any additional permits (to a maximum of seven) on a first come first served basis; and
- (d) That a "No Parking Anytime" regulation be implemented on the east side of Park Street commencing at Barton Street West and extending to Colbourne Street; and
- (e) That in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of East 35th Street between Concession Street and Crockett Street; and

- (f) That, in accordance with the City Council directive of 1988 July 26th, the parking regulations on Charlton Avenue West between Locke and Dundurn Streets be "staggered" such that:
    - i. parking is prohibited on the south side between Locke Street and a point 596 feet westerly therefrom;
    - ii. parking is prohibited on the north side from a point 505 feet west of Locke Street to Dundurn Street;
    - iii. unrestricted parking is allowed for the remainder of the block.
  - (g) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Glen Road between Bond Street North and Parkside Drive be replaced with a full-time parking prohibition; and
  - (h) That a full time parking prohibition be implemented on the north side of Franklin Avenue between the north and south legs of Parkview Drive; and
  - (i) That a full-time parking prohibition be implemented on the east and south sides of Parkview Drive between Franklin Avenue and Bond Street North; and
  - (j) That a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Inverness Avenue between Upper Wentworth Street and a point 148 feet westerly therefrom; and
  - (k) That City Traffic By-law 66-100 be amended accordingly.
- 45.
- (a) That southbound traffic on Duff Court be required to stop for westbound traffic on Duff Street and northbound traffic on West 2nd Street; and
  - (b) That northbound traffic on Glenayr Street be required to stop for eastbound and westbound traffic on Greenshire Drive; and
  - (c) That southbound traffic on Firenze Street be required to stop for eastbound and westbound traffic on Anthony Street; and
  - (d) That a stop sign be erected to require that northbound traffic on Monte Drive be required to stop for eastbound and westbound traffic on Vienna Street; and

- (e) That the existing one-way stop be replaced with a three-way stop at the intersection of Brucedale Avenue and East 16th Street such that eastbound and westbound traffic on Brucedale Avenue be required to stop at East 16th Street; and
- (f) That three-way stop control be implemented at the intersection of Dover Drive and Catalina Drive; and
- (g) That City Traffic By-law 66-100 be amended accordingly.

46. That a three way stop control be implemented at the intersection of Lake Avenue and Delawana Drive, providing that the road does not allow for 4-lane traffic and is less than 40 feet in width.

NOTE: For the information of the members of City Council, measurements of this road were taken at six locations by the Traffic Department on Tuesday, 1988 August 23rd. The minimum width was measured at 43 feet.

47. (a) That the Commissioner of Engineering be directed to meet with the owner of property at 20 Tracey Place for the purpose of having the City relocate the Bell Canada Pole on this property; and
- (b) That the estimated cost of \$1 000 00 for relocating this pole be referred to the Finance Committee for the recommended method of financing.
48. That leave be granted to introduce the following Bills:
- (a) B-65 By-law to Incorporate Parts 1 and 4, Plan 62R-7802 into Eva Street.
  - (b) B-66 By-law to Amend By-law 66-100 to Regulate Traffic.
  - (c) B-67 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Susan K. Reeder,  
Acting Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

Attach.

1988 August 22





C









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its SIXTEENTH Report for 1988 and respectfully recommends:

1. (a) That the City of Hamilton enter into a long term lease agreement with the Roman Catholic Separate School Board for \$1 per year to accommodate the landscaping, parking, sidewalks and playarea for St. Vincent De Paul Separate School on Shawinigan Park on condition that the Separate School Board;
  - i. Provides and maintains a separate washroom (toilet, urinal and sink, etc.) with an outside door access for use by the public after the school is closed.
  - ii. Constructs and maintains the landscaping, parking area, sidewalks and play area, which is in part on the City of Hamilton's Shawinigan park property.
  - iii. Provides \$12 500 to equally share the cost to trim and clear the adjacent woodlot with the City of Hamilton on Shawinigan Park property, so that the Public Works Department staff can proceed with this work, later this Fall - 1988.
  - iv. Provides \$10 000 to match the \$10 000 raised by Legion 167 and the City of Hamilton for creative playground equipment to be erected in Shawinigan Park early in the Spring of 1989.
- (b) That the Public Works Department - Parks Division, pursue finding its 50% share of clearing the woodlot \$12 500 from other accounts.
2. (a) That the concept of creating different theme gardens to reflect the cultural heritage in the City of Hamilton be incorporated in the T. B. McQueston Park.
- (b) That the Japanese Garden as presented be the first theme garden to be developed in concert with the overall park development.
- (c) That this initiative be presented to the Japanese Community in Hamilton and that the Japanese Community be requested to participate in this project.

3. (a) That the City Solicitor's Department be authorized and directed to pursue and implement the ticketing of persons caught loitering in park areas in contravention of Parks By-law 77-221, 1980 as amended by By-law 86-334.
- (b) That the Attorney General for the Province of Ontario be petitioned to grant an exemption from the requirements of Section 91 (c) of Part V-A of the Provincial Offences Act in order to permit the issuance of an Offence Notice ("ticket") to a young person between the ages of 12 and 16.

4. (a) That approval be given for the allocation of funds in accordance with the policy as approved by City Council on 1986, May, 13, and as amended on 1986, October 26, for the purchase and installation of metal playlot equipment for the following projects:

- |  |        |
|--|--------|
| i. <u>Quigley &amp; Greenhill</u> (Vincent Neighbourhood) - Up to \$ 5 000 |        |
| ii. <u>Greenhill &amp; Monte</u> (Gershome Neighbourhood)                  | 15 000 |
| iii. <u>Rosedale School</u> (Rosedale Neighbourhood)                       | 5 000  |
| iv. <u>Gilkson Park</u> (Gilkson Neighbourhood)                            | 5 000  |
| To match those funds raised in the community for this project.             |        |

TOTAL - \$30 000

- (b) That the Executive Committee be requested to recommend the method of financing for these projects.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE COSTS OF THE PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$30 000 BE FINANCED FROM THE RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT, ACCOUNT NO. 0280-11.

- (c) Approval of action of the Parks and Recreation Committee in allocating \$2 500 to the Thorner Neighbourhood Playground Equipment project to match those funds raised in the community for the installation of equipment on that site in accordance with the policy approved by City Council on 1986, May 13 and amended on 1986, October 28 and requesting the Executive Committee at its meeting held 1988 August 04 to recommend the method of financing this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE COSTS OF THE PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$2 500 BE FINANCED FROM THE RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT, ACCOUNT NO. 0280-11.

5. That the Eastern Canada Highland Dancers' Alliance be granted permission to sell coffee, juice and donuts in conjunction with their Highland Dancing competition at Dundurn Park, Saturday, 1988 September 03.
6. That permission be granted to the North Central Community School Association to Bar-B-Que and hold a corn roast at North Central Community (Otis) Park, on Saturday, 1988 September 10, from 6:00 p.m. until 10:00 p.m.

NOTE: Approval is required pursuant to Parks By-law 77-221.

7. That the Director of Culture and Recreation be authorized to make application for Grants under the Wintario Development Program 1988-1989 and for capital grants under the Capital Conservation Program 1988-1989 and the New Recreation Facilities Program 1988-1989 for the projects outlined in the Appendix "A", attached hereto.
8. That a purchase order be issued to F. M. Page & Sons Inc., Hamilton in the amount of \$22 674 for the supply and installation of a chain link fence and gates, Bernie Arbour Stadium for the Parks Division, Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in General Park Maintenance, Contractual Services Account No. 0364-0519.

9. That a purchase order be issued to F. M. Page & Sons Inc., Hamilton in the amount of \$31 877.80 for the supply and installation of a chain link fence and gates, Mohawk Sports Park Running Track for the Parks Division, Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Mohawk Sports Park, Stage 6 Account No. 0408-C66345.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".



10. That a purchase order be issued to Burl-Oak Lighting, Kilbride in the amount of \$12 096 for the supply and installation of lighting at Beulah Park, for the Parks Division of the Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Work Done For Others Account No. 0364-9819.

11. That a purchase order be issued to Bay-King Motors (1968) Ltd., Hamilton, in the amount of \$10 041.84 for the supply and Delivery of One (1) 1988 Compact Vehicle for the Parks Division, Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of seven (7) tenders received. Funds provided in New Equipment, Park Maintenance Account No. 0408-C86471.

12. That a purchase order be issued to Raincentre Irrigation Contractors, Waterdown, in the amount of \$25 160.76 for the supply and delivery of a Sprinkler System at King's Forest Golf Course, for the Parks Division of the Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest evaluated of five (5) tenders received. Funds provided in Repairs and Maintenance Account No. 0364-2931. In evaluating the bids, the Canadian Content Policy, which allows a 15% preference being paid, was used. The bidder recommended had the lowest evaluated bid based on Canadian Content. The City will be paying an additional \$373.47 to adhere to Council's policy.

13. That a purchase order be issued to Irwin Specialties, Toronto in the amount of \$27 702 for the purchase of Shirts and Hats for the Ontario Summer Games.

NOTE: Best of three (3) proposals received. Funds provided in Volunteer Shirts Account No. 0367-7027 and Souvenirs Account No. 0367-7381.

As these are required as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".



14. That a purchase order be issued to SB&G Advertising, Waterdown in the amount of \$17 612 plus applicable taxes, for the purchase of Programmes for the Ontario Summer Games.

NOTE: Only supplier able to meet deadline. Funds provided in Games Programme Account No. 0367-7322.

As these are required as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

15. (a) That the City of Hamilton enter into an agreement with the Board of Education to lease an area on their property close to Ravenbury Drive in the Randall Neighbourhood, 115 feet by 105 feet to accommodate the creative playground equipment, while the school is under construction, to save the Board of Education harmless from any incident during the construction of the new school.
- (b) That the City of Hamilton agree to fencing the playground equipment area at an estimated cost of \$4 900.
- (c) That the City of Hamilton agree to incur any interim relocation costs in the event it is necessary to reposition the equipment.
- (d) That the City Solicitor, the Mayor and the Director of Public Works be authorized to finalize and enter this agreement on behalf of the City of Hamilton.
16. That an Offer to Purchase executed by Mr. A. McCoy and Mr. B. Vanderbrug on behalf of the Hamilton Region Conservation Authority on July 8, 1988 and scheduled for closing on or before October 24, 1988 for a portion of the Brantford and Hamilton Right-of-Way from Upper Horning Road westerly to Highway #403 situated in the Town of Ancaster be approved and completed.

NOTE: The exact area of the conveyance will be determined by a survey prepared by the Purchaser to the satisfaction of the Regional Surveyor. The Purchase price of \$1 is to be credited to Account No. 0280-11.

It is understood and agreed that this offer to Purchase is subject to an easement in favour of the Regional Municipality of Hamilton Wentworth for ingress and egress to their works abutting this right-of-Way.

17. That an Option to Purchase the property at Mars Avenue, executed on August 9, 1988, by the owner Allan Candy International Inc. and scheduled to close on or before October 20, 1988 be completed.

NOTE: This property is required in connection with the expansion of the park at Mars and Wentworth Street North and has a frontage of 100 feet, more or less, by a depth of 225.86 feet/225.65 feet, more or less, containing approximately .519 acres. The purchase price of \$67 470. The purchase price is to be charged to Account No. 0280-11 (Reserve for Park Purposes).

This Option to Purchase is conditional upon the City at its own expense, relocating the existing chain link fence onto the new proposed lot lines, or if the fence cannot be relocated, then a new eight foot chain link fence with barb wire top rail will be installed units place. In addition, the City will disconnect and remove the existing light standards on said property in such a manner that the functioning of the light standards on the Vendor's property remain so. The light standards removed are to be returned to the Vendor.

18. That leave be granted to introduce the following bill:

Bill C-3 By-law to Establish an Elderly Persons Centre on the Site Municipally known as 53 Lake Avenue.

RESPECTFULLY SUBMITTED,

John Thompson,  
Acting Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

Attach.

1988 August 23

a) Capital Conservation Program

Bernie Arbour Stadium (Washrooms, Changerooms, etc.)  
Various Parking Lots  
Chedoke Golf Parking Lot  
Mohawk Sports (Irrigation, Bleachers, Parking, etc.)  
Senior Citizen's Drop-In Centre (53 Lake Avenue)  
Playlot Equipment (Globe, Shawinigan, Gilkson, Montgomery,  
Lake Avenue, Chedoke, Holbrook,  
St. Christopher's, Randall, Rosedale,  
Vincent, Gershome...)

b) New Recreation Facilities Program

Mohawk Sports (Field House, Dressingrooms)  
Brian Timmis Stadium (Washroom, Box Office, Dressingrooms)  
Globe Park (Lighting - Two Baseball Diamonds)  
Bikeways - Phases 2, 3, and 4  
West Mountain Twin Pad Arena

c) Development Program

Mohawk Sports - Track And Field Equipment









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SEVENTEENTH Report for 1988 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following properties:
  - (a) 100 Parkdale Avenue North
  - (b) 220 Caroline Street South
  - (c) 1472 Main Street East
  - (d) 1884 Main Street West
  - (e) 159 Hunter Street East
  - (f) 163 Hunter Street East
  - (g) 13-1/2 Picton Street West
  - (h) 6 Community Avenue
  - (i) 49 Glassco Avenue South
  - (j) 945 West 5th Street
  - (k) 140 Pritchard Avenue
  - (l) 53 Beach Road
  - (m) 409 Sherman Avenue North
2. (a) That the Building Commissioner be authorized to allow staff to work overtime to implement the funding available under expansion of the Low-Rise Provincial Loan Programme to lodging and rooming houses and that all overtime work be done in accordance with the Collective Agreement, and;
  - (b) That in order to implement the Programme, the cost of overtime be offset by the administrative fees generated from the Programme and that these funds be deposited in the Salary and Wages account of the Building Department, and;
  - (c) That the hiring of one building inspector to perform the inspections required under the Proposed New Second Level Lodging House By-law BE APPROVED, but that the filling of the position be held until such time as the By-law becomes effective.

3. That a Designated Property Grant in the amount of \$1 550 BE PROVIDED to Mr. F. Ian Bailey, 455 Bay Street North.

4. That a Commercial Facade Loan in the amount of \$12 230 BE APPROVED for Mario Paolone, owner of 417 Barton Street East.

NOTE: The interest rate will be 4.5 percent, amortized over 10 years.

5. That a purchase order be issued to J. J. MacKay Canada Ltd., London in the amount of \$25 273.33 for the supply and delivery of Two Ticket Issuing Machines for the Community Development Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in Downtown Hamilton Action Plan Phase IV Account #0405-A97015.

6. That in regards to Zoning Application 87-18 that Item No. 4 of the Eighth Report for 1987 of the Planning and Development Committee adopted by City Council on 1987 April 28, BE AMENDED by adding the following:

(a) that two parking spaces be permitted to be located in the front yard.

NOTE: In processing the Site Plan Control Application for the proposed development, the detailed design established an additional variance to permit two parking spaces to be located in the front yard which should be established as part of the By-law.

7. That the Templemead Neighbourhood Plan BE AMENDED as shown on attached Plan 1, attached herewith and marked APPENDIX "A".



8. (a) That APPROVAL be given to Subdivision Application 85-11, R. Shelley Construction & Seebeck Construction Co., owners, to establish a draft plan of subdivision east and north of proposed Independence Drive involving a proposed Separate School Site, subject to the following conditions:
- (i) That this approval apply to the plan prepared by A. J. Clarke & Associates, dated 1985 June 4, revised to show minor lot line changes, 34 lots, two blocks for future development and a cul-de-sac.
  - (ii) That the street be dedicated as public highway on the final plan.
  - (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under the Planning Act.
  - (v) That the owners convey 5% of the land included in the plan to the City of Hamilton for park purposes, pursuant to the provisions of The Planning Act. This condition can be fulfilled by accepting the conveyance of Blocks "35" and "36" for park purposes.
  - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (vii) That the owners provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (viii) That the owners shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (ix) That this plan of subdivision not receive final approval before road access and municipal services are available from abutting lands.
  - (x) That the owners agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-11), R. Shelley Construction Ltd. and Seebeck Construction Co. Ltd., owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
9. That APPROVAL be given to Zoning Application 88-37, Robert Shelley Construction Ltd., and Seebeck Construction Co. Ltd., owners, for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, for property located in the area west of Silverton Drive and north of Nina Court, as shown on the attached map marked as APPENDIX "B", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49 for presentation to City Council.
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
  - (d) That the Templemead Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to a "Single and Double" residential land use designation.

NOTE: The purpose of the By-law is to provide for a change in zoning of the subject lands from "AA" (Agricultural District) to "R-4" (Small lot Single-Family Detached) District. The effect of the By-law is to permit development of the subject lands for "small lot" single-family dwellings.

10. That APPROVAL be given to Zoning Application 88-44, D. Alessandrino, owner, requesting a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for single family dwellings, for the property located at No. 866 Upper Paradise Road, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the subject lands be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District.
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37c for presentation to City Council.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for the property located at No. 866 Upper Paradise Road.

The effect of the By-law is to permit development of the subject lands for single family dwellings.

11. That APPROVAL be given to a further amended Zoning Application 88-55, Regina Pirro, owner, requesting a change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified to permit the conversion of the existing building for uses such as business offices, hair dressing establishment, photography studio and/or art studio, etc. for the property located at No. 12 Ray Street South, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the amending by-law apply to the holding provisions of Section 35(1) of the Planning Act RSO 1983 to the subject lands by introducing the holding symbol 'H' as a suffix to the "E-1" District.
- (b) That the subject lands be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1" - 'H' (Multiple Dwellings, Lodges and Clubs, etc.) District.
- (c) That the holding provision ('H') be removed by City Council once adequate on-site parking has been provided.



(d) That the "E-1" (Multiple Dwellings, Lodges and Clubs, etc.) District regulations as contained in Section 11A be modified to include the following variance as a special requirement:

1.) That notwithstanding Section 11A(1)(ii) professional offices shall not be permitted.

(e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1090, and that the subject lands on Zoning District Map W-2 be notated S-1090;

(f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-2 for presentation to City Council;

(g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning area.

NOTE: The purpose of this by-law is to provide for a modification to the "E-1" - 'H' (Multiple Dwellings, Lodges, Clubs, etc.) District for the property located at No. 12 Ray Street South.

The 'H' refers to a holding symbol which will prohibit conversion of the building until adequate parking is provided on-site.

The effect of this by-law is to permit the conversion of the existing building for such uses as a business office, art studio, photographer's studio, etc. Professional offices are not permitted.

12. (a) That APPROVAL be given to Official Plan Amendment No. 63 to redesignate Block "1" from "Open Space" to "Commercial" and to remove the subject lands, in their entirety, from Special Policy Area 10, and the City Solicitor be directed to prepare a by-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth for submission to City Council.
- (b) That APPROVAL be given to City Initiative 88-E requesting changes in zoning from "AA" (Agricultural) District and "KK" (Restricted Heavy Industrial) District to "F" (Special Waterfront) District, modified, to permit the development of the subject lands for a tourist information centre, hotel and accessory commercial uses, for the lands located on the west side of Centennial Parkway North, between the Q.E.W. and Confederation Drive, as shown on the attached map marked as APPENDIX "E", on the following basis:



- (i) That Block "1" be rezoned from "AA" (Agricultural) District to "F" (Special Waterfront) District;
- (ii) That Block "2" be rezoned from "KK" (Restricted Heavy Industrial) District to "F" (Special Waterfront) District;
- (iii) That the "F" (Special Waterfront) District regulations as contained in Section 12 of the Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
  - 1.) Notwithstanding Section 12.(1), the following additional commercial uses shall be permitted in conjunction with the hotel:
    - (a) tavern;
    - (b) retail stores;
    - (c) personal service stores;
    - (d) banquet hall;
    - (e) conference/meeting rooms;
    - (f) outdoor patio.
- (iv) That Sections 18.(11) (a) and (b) of Zoning By-law No. 6593 shall not apply to the subject lands;
- (v) That the yard and parking requirements of Section 3.(3) (xiv) and Section 12.(3) shall not apply to the existing power transmission lines.
- (vi) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1089, and that the subject lands on Zoning District Maps E-101, E-102, and E-111 be notated S-1089;
- (vii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-101, E-102, and E-111 for presentation to City Council.
- (viii) That the proposed change in zoning will be in conformity with:
  - 1.) The Regional Official Plan when Regional Official Plan Amendment No. 34 is approved by the Minister of Municipal Affairs; and
  - 2.) The City of Hamilton Official Plan when Official Plan Amendment No. 63 is approved by the Regional Municipality of Hamilton-Wentworth.

- (c) That Schedule "A" of Site Plan Control By-law 79-275, as amended by-law No. 87-334 be amended by adding the subject lands, as shown on the attached map marked as APPENDIX "F".

NOTE: The purpose of this by-law is to provide for changes in zoning for the lands located on the west side of Centennial Parkway North between the Q.E.W. and Confederation Drive, on the following basis:

- (a) Block "1" - Change in zoning from "AA" (Agricultural) District to "F" (Special Waterfront) District, modified;
- (b) Block "2" - Change in zoning from "KK" (Restricted Heavy Industrial) District to "F" (Special Waterfront) District, modified.

The effect of the by-law is to permit the development of the subject lands for a tourist information centre, hotel, and accessory commercial uses.

In addition, the By-law provides for the following variances as special requirements;

- (a) to permit the following commercial uses in addition to other permitted uses:
  - (i) tavern;
  - (ii) retail stores;
  - (iii) personal service stores;
  - (iv) banquet hall;
  - (v) conference/meeting rooms;
  - (vi) outdoor patio.
- (b) to permit the outdoor patio from the capacity provisions (50 people or 50% of the capacity, whichever is greater).
- (c) to exempt the outdoor patio from the locational provisions which prohibits outdoor patios adjacent to residential districts.

13. (a) That APPROVAL be given to Official Plan Amendment No. 62 to redesignate the subject lands from "Open Space" to "Major Institutional" and to remove them from "Special Policy Area 10", and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That APPROVAL be given to City Initiative 88-H to modify the established "C" (Urban Protected Residential, etc.) District, to permit the conversion and expansion (construction of living quarters) of the existing school building for use as a Staff Education Facility for the Government of Ontario, for lands located at No. 467 Beach Boulevard (Bell Cairn School), as shown on the attached map marked as APPENDIX "G", on the following basis:
- (i) That the "C" (Urban Protected Residential, etc.) District Regulations as contained in section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
    - 1.) Notwithstanding Section 9.(1.)(iv), a school, including a dormitory, for use as a Staff Education Facility by the Government of Ontario, shall be permitted within the existing building and any expansion thereof.
  - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1088, and that the subject lands on Zoning District Map E-80D be notated S-1088;
  - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-80D for presentation to City Council;
  - (iv) That the proposed change in zoning will be in compliance with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 61 by the Regional Municipality of Hamilton-Wentworth;

- (c) That Schedule "A" of Site Plan Control By-law No. 79-275, as amended by By-law No. 87-223 be amended by adding the subject lands thereto.

NOTE: The purpose of the by-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District regulations for property at No. 467 Beach Boulevard (Bell Cairn Memorial School).

The effect of the By-law is to permit the conversion and expansion (construction of living quarters) of the existing school building, for use as a Staff Education Facility, for the Government of Ontario..

14. That Zoning Application 88-09, Ernesto and Norma Estrabillo, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, for vacant property municipally known as No. 17 Chipman Avenue, as shown on the attached map marked as APPENDIX "H", BE DENIED for the following reason:
- (a) The proposal is premature, pending finalization of the proposed Jerome Neighbourhood Plan.
15. That Zoning Application 88-34, J. Greenbaum, owner, requesting a modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations to permit a bingo hall (public hall) in addition to other permitted uses, for property located at No. 1000 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "I", BE DENIED for the following reasons:
- (a) The proposed use is not consistent with the intent of the "G" (Neighbourhood Shopping Centre, etc.) District.
- (b) It would set a precedent for future similar applications.
- (c) It may contribute to on-site and/or off-site parking conflicts.



16. That Zoning Application 88-41, Corrado Development Corporation, prospective owner, requesting changes in zoning from the "AA" (Agricultural) District and the "B-2" (Suburban Residential) District to the "E-2" (Multiple Dwellings) District, to permit the future development of 1,000 multiple dwelling units (townhouses and/or apartments) and 6 single-family dwelling units on property located on the west side of Garth Street in the area north of Rymal Road, as shown on the attached map marked as APPENDIX "J", BE DENIED for the following reasons:
- (a) The proposed multiple family development conflicts with the intent of the approved Falkirk East Neighbourhood Plan which designates the subject lands for "Single and Double Residential" uses.
  - (b) It would set a precedent for future similar applications.
  - (c) It would be incompatible with existing and future intended uses in the surrounding area.
17. That the application for renovation of 61 East Avenue South, under the Rental Housing Protection Act BE DENIED, since it may reduce the supply of affordable rental housing.
18. (a) That APPROVAL be given to Official Plan Amendment No. 60 to redesignate the rear portion of the lands municipally known as Nos. 1375 to 1417 Upper James Street (inclusive) from "Residential" and "Open Space" to "Commercial" and to extend Special Policy Areas 31 and 31b to correspond with the "Commercial" designation and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That APPROVAL be given to Zoning Application 88-40, J. and A. Riccio Developments Ltd., owner, requesting changes in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, modified, to permit the development of the subject lands for a proposed 1 storey  $2787 \text{ m}^2$  (30,000 sq.ft.) plaza containing retail and warehouse commercial uses, for the properties located at Nos. 1379-1383 Upper James Street, as shown on the attached map marked as APPENDIX "K", on the following basis:

- (i) That the amended By-law apply the holding provisions of Section 35(1) of the Planning Act R.S.O. 1983 to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until municipal sewers are installed.
- Removal of the holding restriction shall be conditional upon the installation of municipal sewers serving the subject lands and passage of an amending By-law. City Council may remove the 'H' symbol, and thereby give effect to the "HH" provisions as stipulated in this By-law by enactment of an amending By-law once municipal sewers have been installed.
- (ii) That Block "1" be rezoned from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial) District.
- (iii) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial) District.
- (iv) That the "HH" Restricted Community Shopping and Commercial, etc.) District regulations as contained in Section 14A of the Zoning By-law No. 6593 be modified to include the following variance as a special requirement:
- 1.) That notwithstanding Section 14A(1)(c) and Section 14(1)(xvii), the storage of goods to be manufactured, assembled or sold may occupy a maximum of 50% of the floor area.
  - 2.) That notwithstanding Section 14A(3)(a) a front yard of a depth of at least 24.0 m shall be provided.
- (v) That a minimum 3.0 m wide planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the easterly rear lot line and the southerly side lot line.
- (vi) That a minimum of 1.5 m wide planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the northerly side lot line where it adjoins a residential district.

- (vii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1091, and that the subject lands on Zoning District Map be notated S-1091;
- (viii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council.
- (ix) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Amendment No. 60 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of this By-law is to provide for changes in zoning for the properties located at Nos. 1379-1383 Upper James Street on the following basis:

- (a) Block "1" Change in zoning from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial District, modified;
- (b) Block "2" Change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial, etc.) District, modified.

The amending By-law applies the holding provisions (as denoted by the 'H' suffix) of Section 35(1) of the Planning Act to the subject lands. This provision will prohibit the development of the lands until municipal sewers are installed. Once the sewers are available, City Council may remove the 'H' symbol by passing the amending By-law.

The effect of this By-law is to permit the development of the subject lands for a proposed retail plaza having a gross floor area of approximately 2,787 m<sup>2</sup> (30,000 sq.ft.) and containing retail and warehouse commercial uses.

In addition, the By-law provides for the following variances as special requirements.

- (a) permits storage of goods to occupy a maximum of 50% of the floor area which may be used for storage purposes whereas 25% is currently permitted;
- (b) requires a 3.0 m wide landscape strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained along the easterly rear lot line, and southerly side lot line.



- (c) requires a minimum 1.5 m wide planting strip and visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained along the northerly side lot line where it adjoins a residential district; and
- (d) requires a minimum 24.0 m building setback from the front lot line.

19. That leave be granted to introduce the following Bills:

- (a) Bill D-70 A By-law to designate land located at Municipal No. 286 Sanford Avenue North as property of Historic and Architectural Value and Interest.
- (b) Bill D-93 A By-law to amend Zoning By-law No. 6593 respecting land located on the west side of Sanatorium Road, in the area south of Scenic Drive.
- (c) Bill D-94 A By-law to establish Site Plan Control respecting land located on the west side of Sanatorium Road, in the area south of Scenic Drive.
- (d) Bill D-95 A By-law to amend Zoning By-law No. 6593 respecting land located at the south-west corner of Upper Sherman Avenue and Limeridge Road East.
- (e) Bill D-96 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 287 Locke Street South.
- (f) Bill D-97 A By-law to amend By-law No. 88-09 respecting Roof Leaders.
- (g) Bill D-98 A By-law to adopt Official Plan Amendment No. 59 respecting lands located at the north-west corner of Rymal Road East and Upper Wentworth Street.
- (h) Bill D-99 A By-law to designate land located at Municipal No. 109 Smith Avenue as property of Historic and Architectural Value and Interest.
- (i) Bill D-100 A By-law to adopt Official Plan Amendment No. 61 respecting land located at Municipal No. 467 Beach Boulevard (Bell Cairn Memorial School).



- (j) Bill D-101 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 12 Lotus Avenue.
- (k) Bill D-102 A By-law to establish Site Plan Control respecting land located at Municipal No. 12 Lotus Avenue.
- (l) Bill D-103 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 739 Stone Church Road West.
- (m) Bill D-104 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 467 Beach Boulevard (Bell Cairn Memorial School).
- (n) Bill D-105 A By-law to establish Site Plan Control respecting land located at Municipal No. 467 Beach Boulevard (Bell Cairn Memorial School).

Respectfully submitted,,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1988 August 17

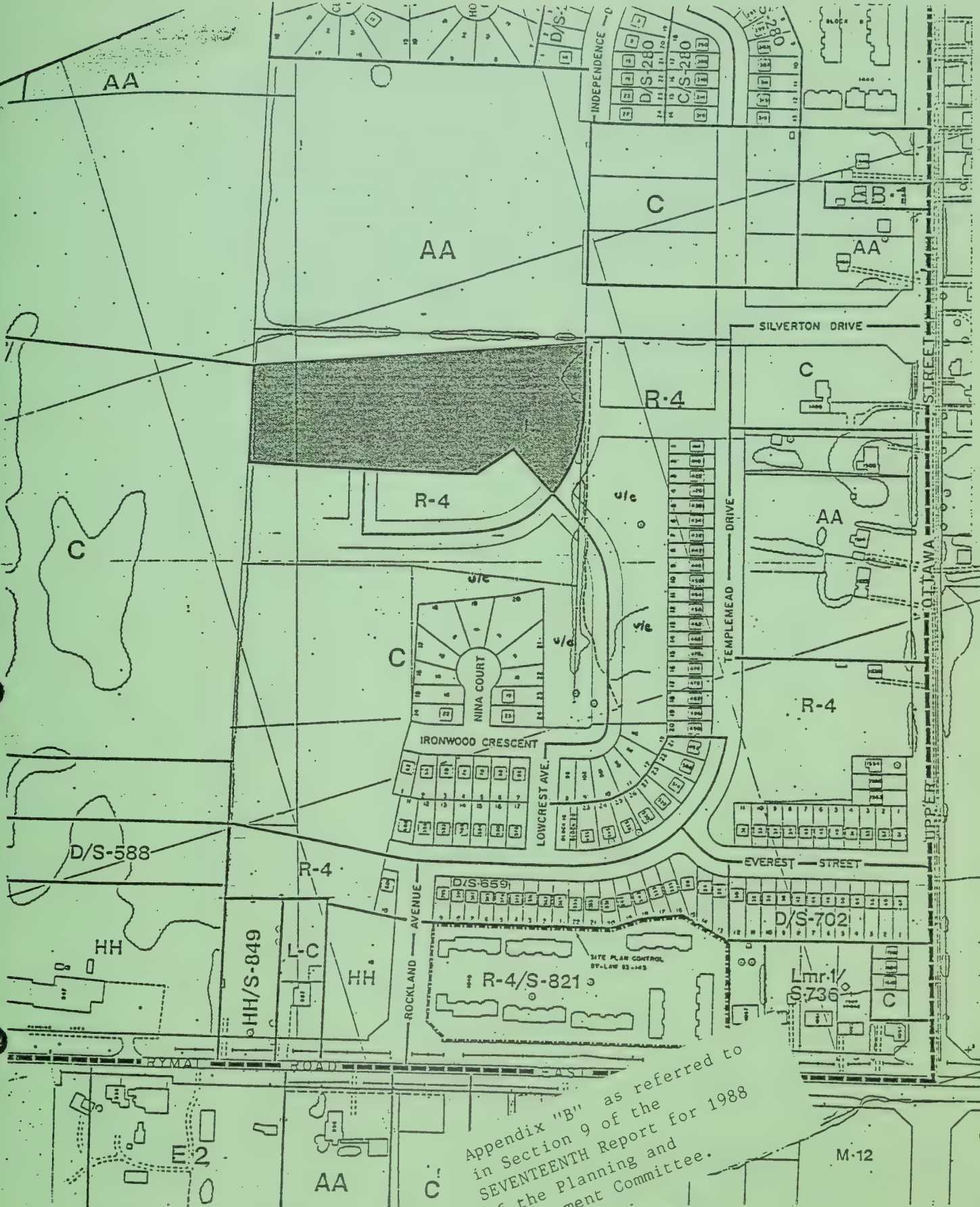






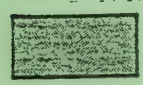




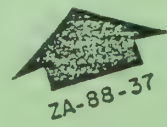


Appendix "B" as referred to  
in Section 9 of the  
SEVENTEENTH Report for 1988  
of the Planning and  
Development Committee.

**LEGEND**



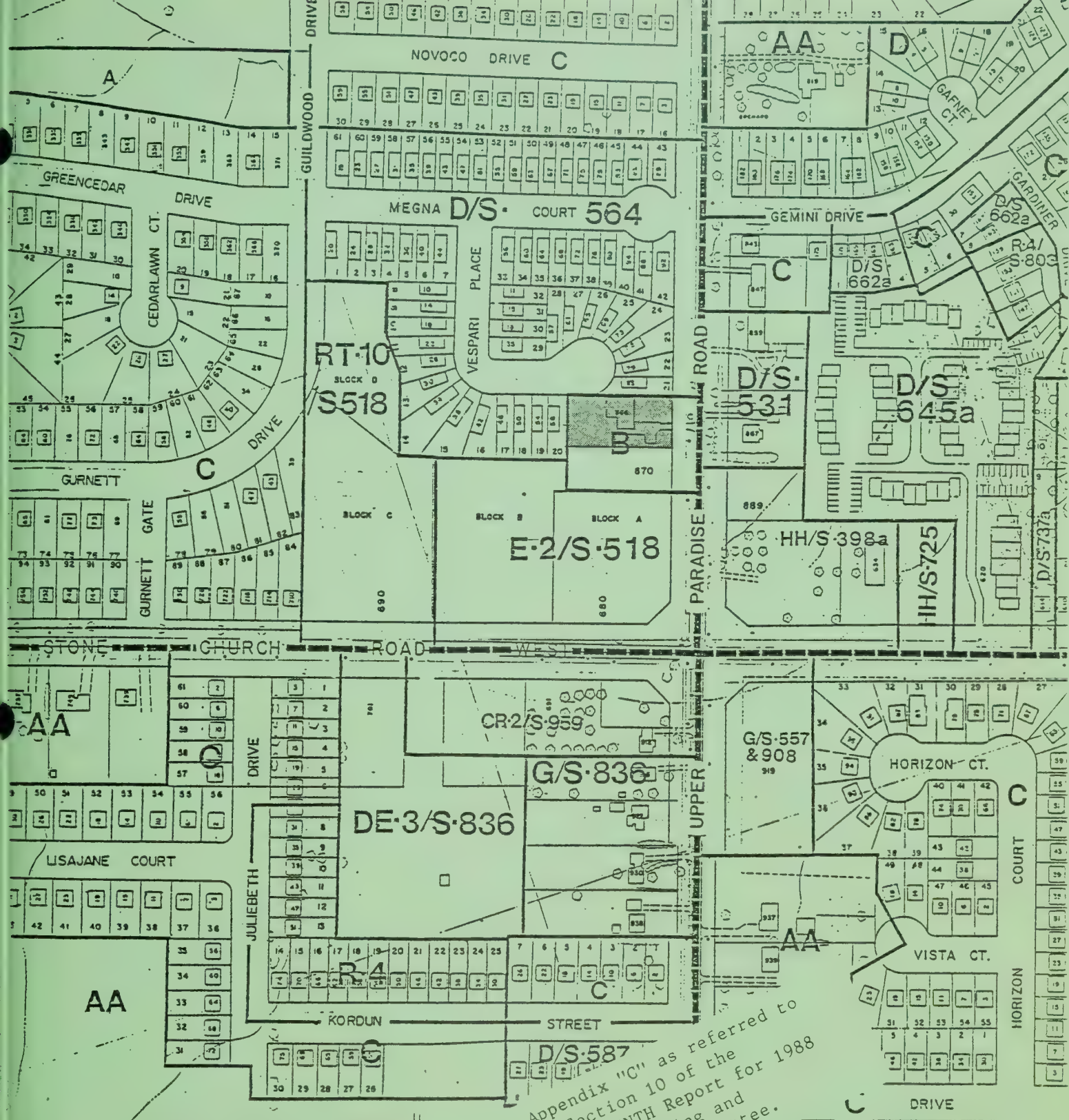
SITE OF THE APPLICATION



APPENDIX A







# **LEGEND**



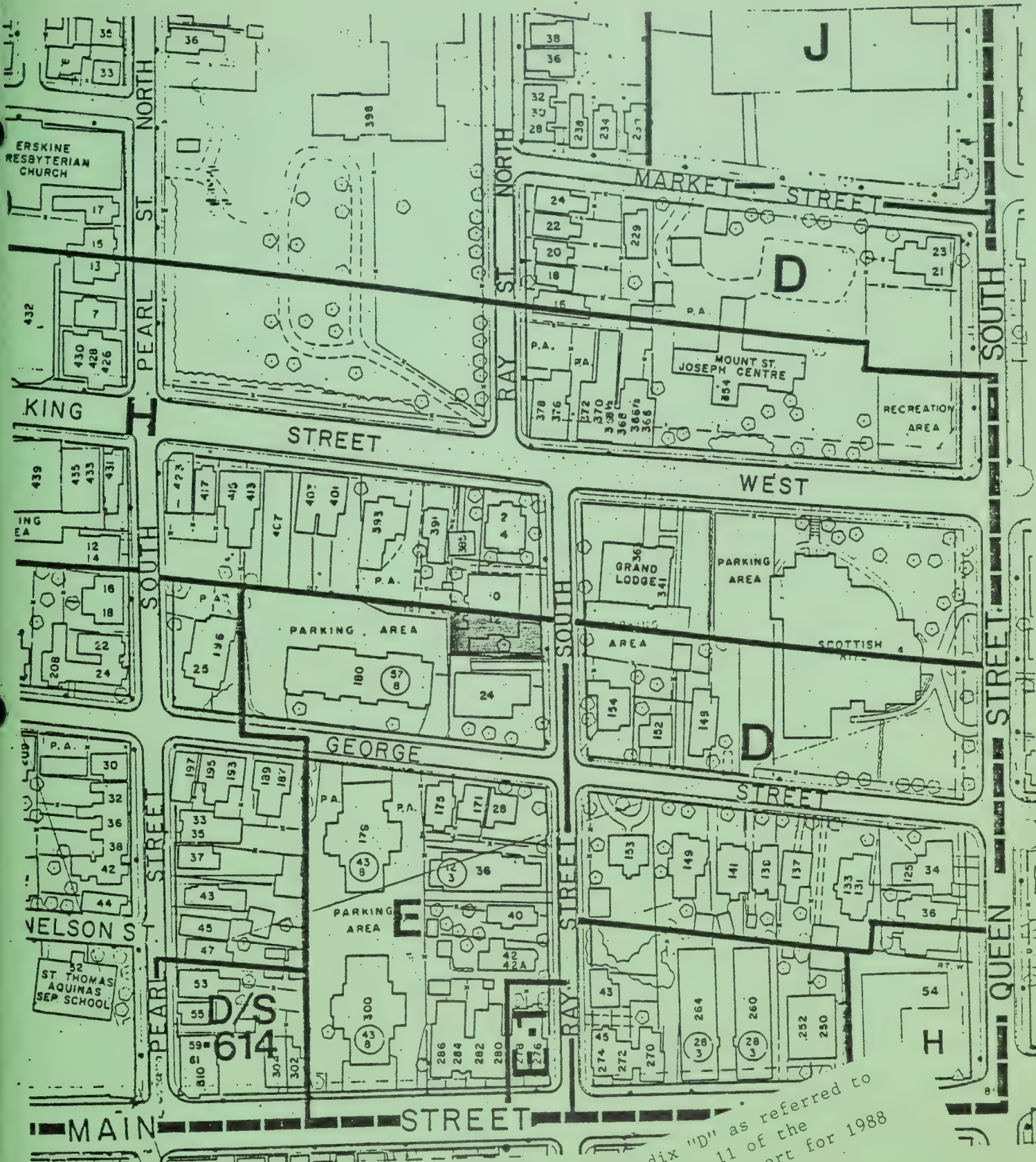
SITE OF THE APPLICATION

Appendix "C" as referred to  
in Section 10 of the  
SEVENTEENTH Report for 1988  
of the Planning and  
Development Committee.

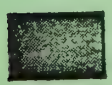








# LEGEND



SITE OF APPLICATION

D-19

Appendix "D" as referred to in Section 11 of the SEVENTEENTH Report for 1988 of the Planning and Development Committee.

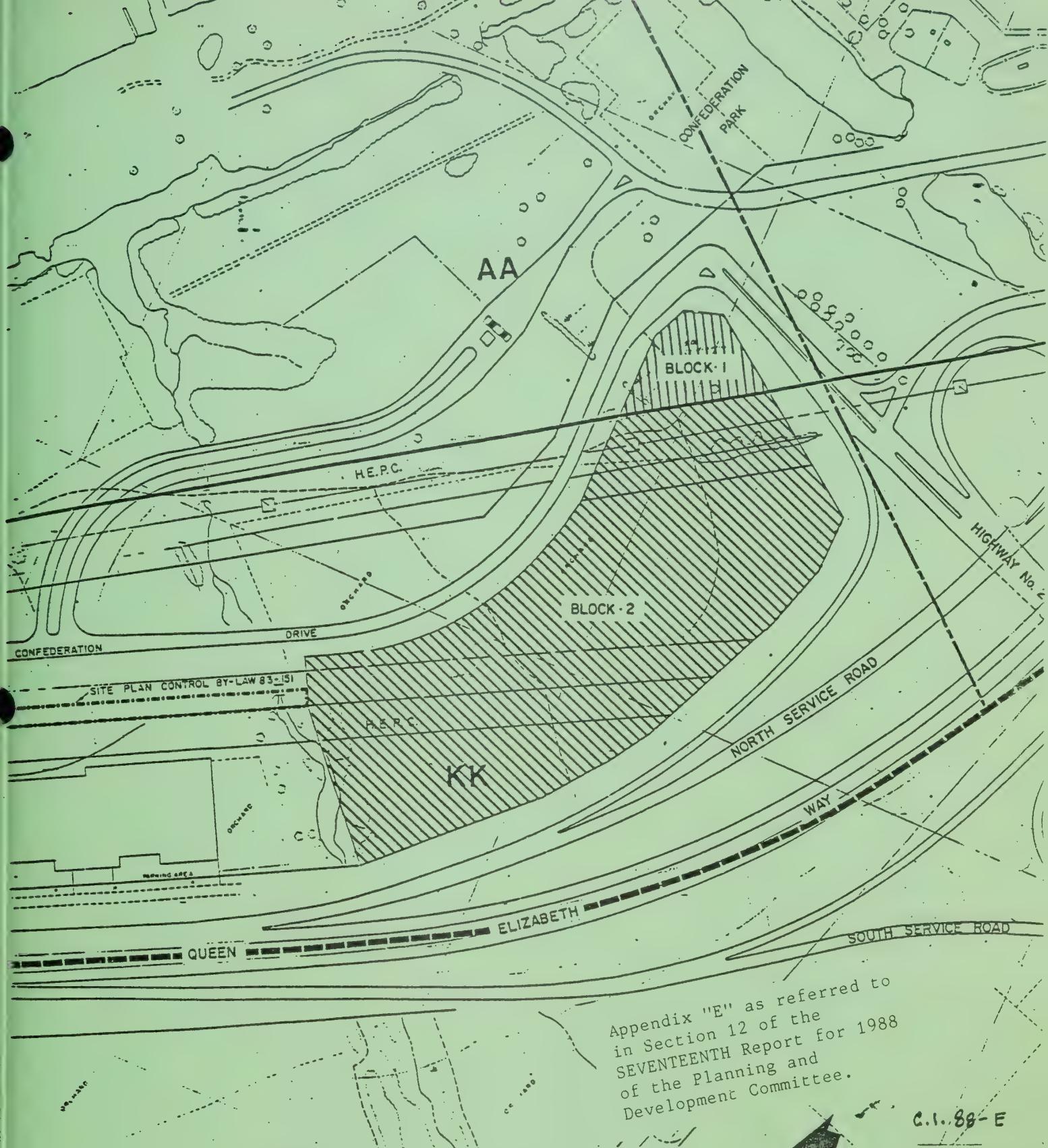


APPENDIX A

F







Appendix "E" as referred to  
in Section 12 of the  
SEVENTEENTH Report for 1988  
of the Planning and  
Development Committee.

C.I. 88-E

# LEGEND

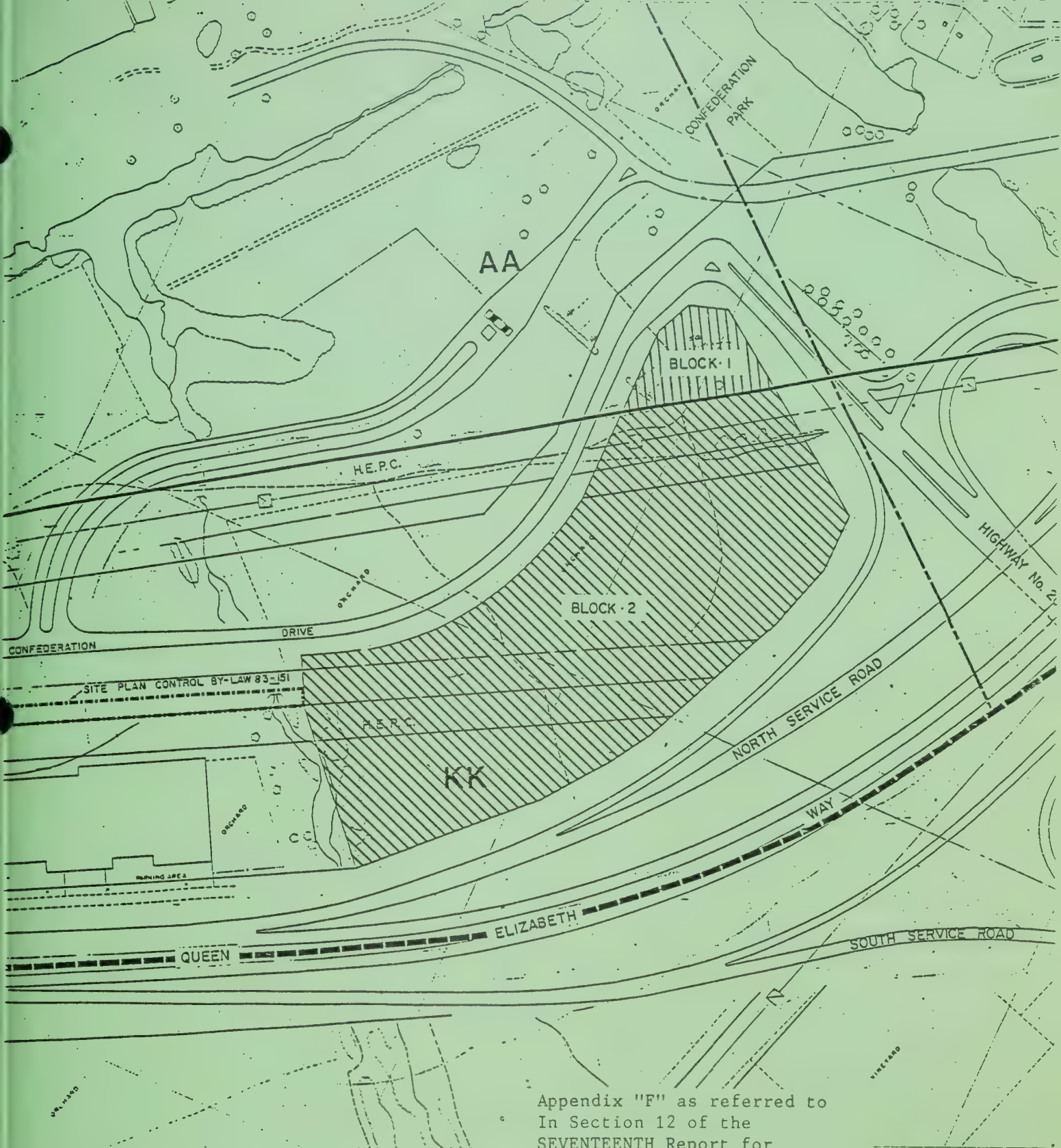
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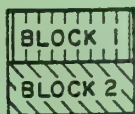
"AA" (Agricultural) District to "F" (Special Waterfront) District, Modified  
"KK" (Restricted Heavy Industrial) District to "F" (Special Waterfront) District, Modified







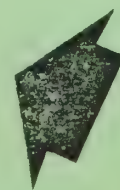
# **LEGEND**



LANDS TO BE ADDED TO SCHEDULE "A" OF SITE PLAN CONTROL  
BY-LAW 79-275 AS AMENDED BY BY-LAW 87-223

## **APPENDIX "B"**

Appendix "F" as referred to  
In Section 12 of the  
SEVENTEENTH Report for  
1988 of the Planning and  
Development Committee.



C.I. 88 - E







**LEGEND**



**SITE OF THE APPLICATION**

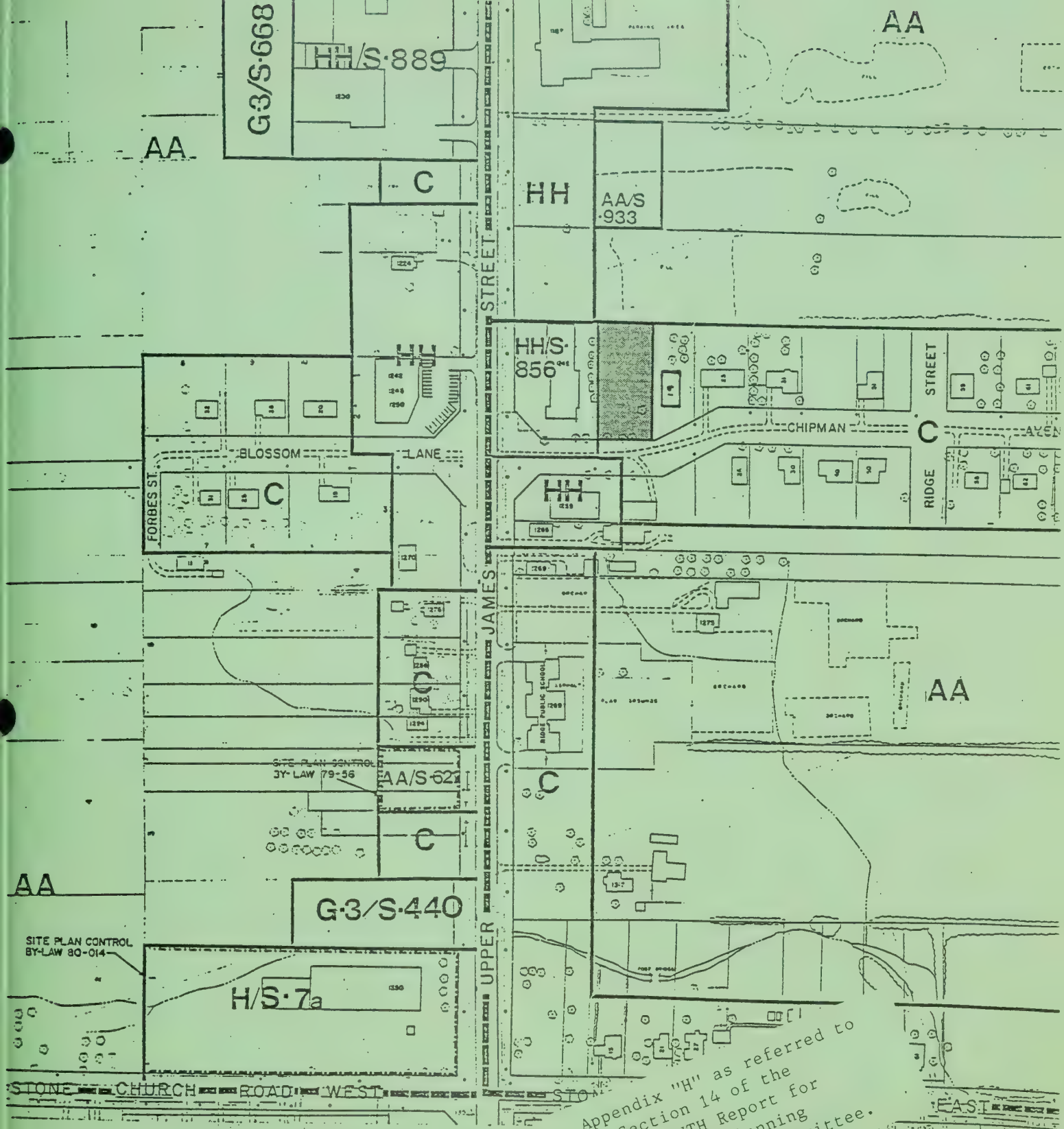
Appendix "G" as referred to  
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SEVENTEENTH Report for 1988  
of the Planning and  
Development Committee.

C.I. 88-H

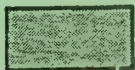








# **LEGEND**



**SITE OF THE APPLICATION**

D-23

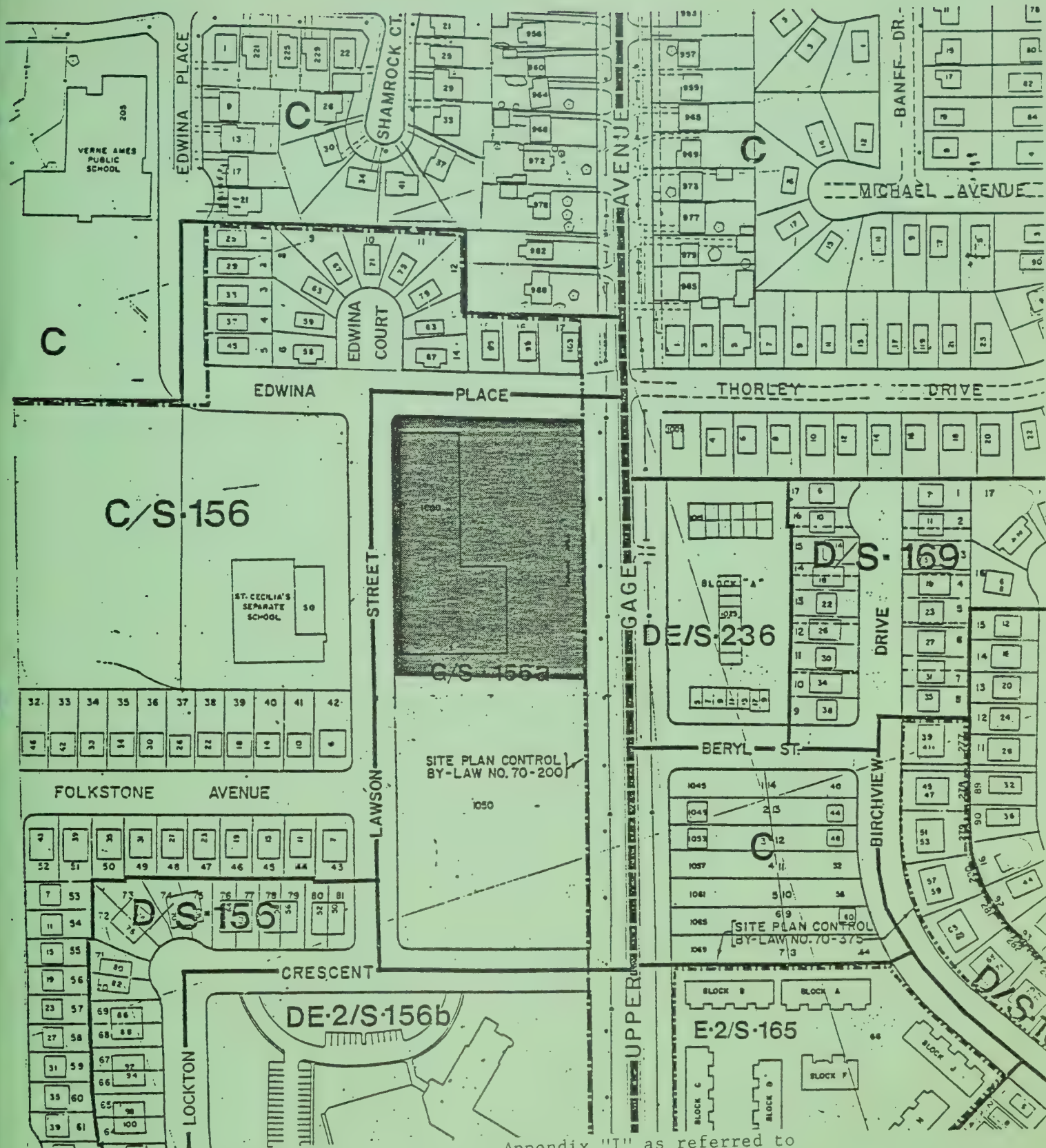


Appendix "H" as referred to  
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SEVENTEENTH Report for  
1988 of the Planning  
and Development Committee.

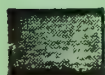
**APPENDIX A**

**F**





# **LEGEND**



**SITE OF APPLICATION**

Appendix "I" as referred to in Section 15 of the SEVENTEENTH Report for 1988 of the Planning and Development Committee.

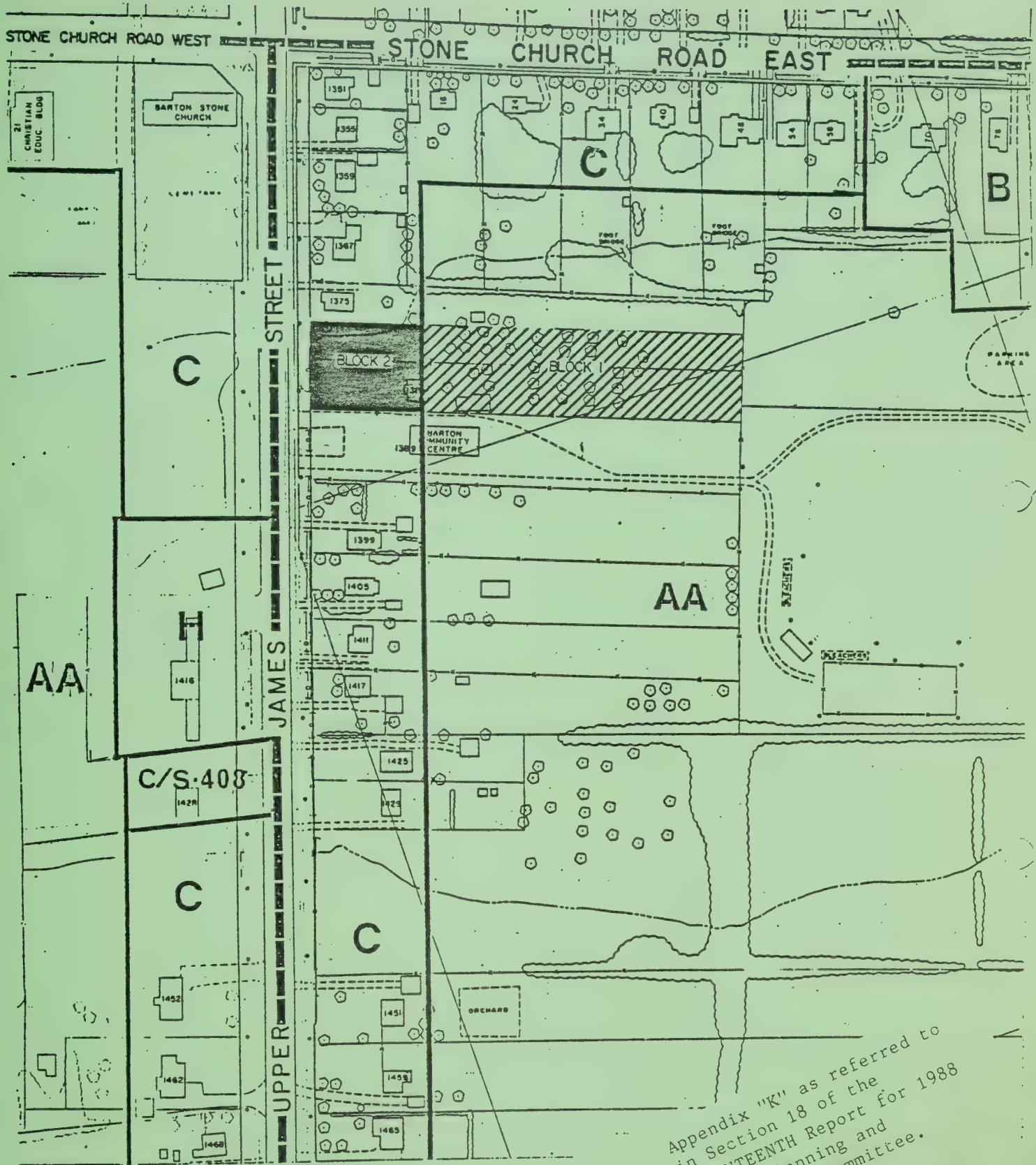












### Legend

Proposed change in zoning from:



"AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District



"C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District

Appendix "K" as referred to in Section 18 of the SEVENTEENTH Report of the Planning and Development Committee.











## REPORT OF THE PERSONNEL COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its TENTH Report for the 1988 and respectfully recommends:

1. That a Leave of Absence without pay be granted to Gary Flynn for educational purposes from 1988 September 12 to approximately 1989 May 30.
2. (a) That a payment be made to the Ontario Municipal Employees Retirement System to a maximum of \$144 746. as of 1988 January 1 for the employer's portion of the purchase of war service as credited pensionable service for eligible members of OMERS.  
(b) That this be referred to the Finance Committee for the method of funding.
3. That the agreement between the Hand Association of Sewer, Watermain and Road Contractors and the International Union of Operating Engineers, Local 793 herewith attached as APPENDIX "A", BE APPROVED.
4. That the Contract Settlement between The Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America (Local 18, Hamilton) herewith attached as APPENDIX "B", BE APPROVED.
5. That the Appointments to and Terminations from Permanent Positions within the Corporation of the City of Hamilton to 1988 August 12, herewith attached as APPENDIX "C", BE APPROVED.
6. That the account of Ross and McBride, Barristers and Solicitors, dated 1988 June 30 in the total amount of \$21 425.75, BE APPROVED.  
  
NOTE: This account covers their litigation services for the month of 1988 June.
7. That the position of Waterfront Project Co-ordinator be reclassified to Salary Schedule "L", \$34 886.28 - \$41 081.04 per annum.

RESPECTFULLY SUBMITTED

ALDERMAN M. KISS, CHAIRPERSON  
PERSONNEL COMMITTEE

1988 August 24  
Susan K. Reeder  
Secretary

SKR/dg





Agreement between the Hand Association of Sewer, Watermain and Road Contractors  
and the International Union of Operating Engineers, Local 793.

SCHEDULE "A"

THIS SCHEDULE APPLIES TO ROAD WORK

When a project is a mixed or of combination nature involving sewer and/or watermain and road work, the line of demarcation between the two facets of work, sewer and/or watermain and road building will be determined by the following formula:-

Excavating for pipe, pipe laying, backfilling of pipe excavation and compaction to subgrade shall be governed by Schedule "B".

Duration of Agreement - May 1, 1988 to June 30, 1990

Hours of Work and Overtime

The standard hours of work for all employees shall be based on fifty (50) hours a week, exclusive of travelling time to and from the job.

Overtime at the rate of time and one-half (1-1/2) the employee's current hourly rate shall be paid to all employees for all work performed in excess of ten (10) hours per day or in excess of fifty (50) hours per week. (Overtime will only be paid once for the same hour.) Double (2) time will be paid for Sundays and Saturdays and holidays.

A shift premium of One Dollar (\$1.00) per hour will be paid for all work performed on a regularly scheduled second or third shift on a project.

1. Shovels, backhoes, draglines, gradalls, clams (on site), Grader "A"  
Fine Grade Bulldozer, Pitman type cranes.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.94	1.89	.70	1.60	\$23.13
May 1, 1989	\$19.89	1.99	.75	2.00	\$24.63

2. Clams (yard operation), Mechanics, Welders.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.69	1.87	.70	1.60	\$22.86
May 1, 1989	\$19.64	1.96	.75	2.00	\$24.35

...2...



3. Hydra-lift truck mounted hydraulic cranes.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.49	1.85	.70	1.60	\$22.64
May 1, 1989	\$19.44	1.94	.75	2.00	\$24.13

4. Curb Machine, self-propelled power drills, hydraulic, etc., bulldozer operators, front end loader operators, scrapers (self-propelled), dozer 815 type.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.34	1.83	.70	1.60	\$22.47
May 1, 1989	\$19.29	1.93	.75	2.00	\$23.97

5. Mixer man on asphalt plant.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.29	1.83	.70	1.60	\$22.42
May 1, 1989	\$19.24	1.92	.75	2.00	\$23.91

6. Concrete paver operator (over 1 cu.yd.), asphalt planer operators.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.24	1.82	.70	1.60	\$22.36
May 1, 1989	\$19.19	1.92	.75	2.00	\$23.86

7. Engineers on boilers (with papers).

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.24	1.82	.70	1.60	\$22.34
May 1, 1989	\$19.17	1.92	.75	2.00	\$23.84

...3...

8. Farm and industrial type tractor operators with excavating attachments, grader operator "B", asphalt rollerman, concrete paver operators (up to and including 1 cu.yd.), asphalt spreader operators (self-propelled), snippers, hydro axe and tree farmer, feller buncher, hydro shear, trenching machines, caisson boring machines under 25 H.P., lubrication unit operator, skid steer loaders, Kabota skid steer loaders, Kabota bobcat type excavators and those less than 65 H.P. and similar types, skidder type equipment with hydraulic and cable attachments.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.09	1.80	.70	1.60	\$22.19
May 1, 1989	\$19.04	1.90	.75	2.00	\$23.69

9. Boiler fireman (without papers) burnerman on asphalt plant.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.04	1.80	.70	1.60	\$22.14
May 1, 1989	\$18.99	1.90	.75	2.00	\$23.64

10. Roller Operator (asphalt) 'B', mobile sweeper.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$17.74	1.77	.70	1.60	\$21.81
May 1, 1989	\$18.69	1.87	.75	2.00	\$23.31

11. Farm and industrial type tractor, (towed and self-propelled compaction units), grade rollerman, including self-propelled rubber tired rollers.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$17.49	1.75	.70	1.60	\$21.54
May 1, 1989	\$18.44	1.84	.75	2.00	\$23.03

...4...



SCHEDULE "B"

THIS SCHEDULE APPLIES TO "OPEN-CUT" WORK FOR SEWER AND WATERMAIN CONSTRUCTION

"Open-cut" work for sewer and watermain is defined as all sewer and watermain work outside the property line, of all Industrial, Commercial and Institutional Construction. This shall include sewer and watermain work on residential subdivision work but shall not include site preparation if tendered as a separate contract.

Hours of Work and Overtime

The standard hours of work for all employees shall be based on fifty (50) hours a week, exclusive of travelling time to and from the job.

Overtime at the rate of time and one-half (1-1/2) the employee's current hourly rate shall be paid to all employees for all work performed in excess of ten (10) hours per day or in excess of fifty (50) hours per week. (Overtime will only be paid once for the same hour.) Double (2) time will be paid for Sundays, Saturdays and holidays.

A shift premium of One Dollar (\$1.00) per hour will be paid for all work performed on a regularly schedule second or third shift on a project.

1. Engineers operating cranes, clams, backhoes, derricks, pile-drivers, gradalls, mobile cranes, caisson boring machines 25 H.P. and over, sidebooms and similar equipment, Pitman type cranes. Grader Operator "A" and fine grade bulldozer operator.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$19.57	1.96	.70	1.60	\$23.83
May 1, 1989	\$20.52	2.05	.75	2.00	\$25.32

2. Heavy Duty Field mechanics and equipment repair welders.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$19.07	1.91	.70	1.60	\$23.28
May 1, 1989	\$20.02	2.00	.75	2.00	\$24.77

3. Hydra-Lift truck mounted hydraulic cranes.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$19.02	1.90	.70	1.60	\$23.22
May 1, 1989	\$19.97	2.00	.75	2.00	\$24.72

4. Operators of bulldozers, tractors, scrapers, emcos, grader "B", overhead loaders or similar equipment, farm and industrial tractors with excavating attachments, trenching machines, caisson boring machines under 25 H.P., snippers, hydro axe and tree farmer, feller buncher, hydro shear, lubrication unit operator, skid steer loaders, Kabota skid steer loaders, Kabota Bobcat type excavators and those less than 65 H.P. and similar types, skidder type equipment with hydraulic and cable attachments, curb machines and self-propelled power drills, hydraulic, etc.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.97	1.90	.70	1.60	\$23.17
May 1, 1989	\$19.92	1.99	.75	2.00	\$24.66

5. Servicemen on shovels, compressors, pumps, self-propelled rollers, boom truck drivers, operators of 5 or more heaters.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$18.22	1.82	.70	1.60	\$22.34
May 1, 1989	\$19.17	1.92	.75	2.00	\$23.84

6. Oilers, greasers, mechanics helpers.

Third Year

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$17.82	1.78	.70	1.60	\$21.90
May 1, 1989	\$18.77	1.88	.75	2.00	\$23.40

Second Year

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$16.82	1.68	.70	1.60	\$20.80
May 1, 1989	\$17.77	1.78	.75	2.00	\$22.30

First Year

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$15.82	1.58	.70	1.60	\$19.70
May 1, 1989	\$16.77	1.68	.75	2.00	\$21.20

...6...

### SCHEDULE "C"

#### THIS SCHEDULE APPLIES TO "TUNNEL WORK"

A schedule applying to Tunnel Work, which is to be interpreted to mean a project called as a Tunnel and does not include Tunnel Work which is incidental to Open-Cut Work, for Sewer and Watermain Construction.

#### Hours of Work and Overtime

Overtime at the rate of time and one-half (1-1/2) the employee's current hourly rate shall be paid to all employees, except watchmen, for all work performed in excess of forty-five (45) hours per week or nine (9) hours per day, Monday to Friday inclusive, excluding travelling time to and from the job, (and excluding work in compressed air where overtime at the rate of time and one-half (1-1/2) shall be paid for work in excess of nine (9) hours) the work week shall be deemed to commence at 12:01 a.m. Monday and terminating at 11:59 p.m. Friday. Where the work week commences at 7:00 a.m. Monday it is agreed and understood that on a three shift operation, the 15th shift may be worked at straight time on Saturday until 7:00 a.m. provided however, that the applicable shift premium shall be paid.

Subject to the provisions of paragraph 1.01 above, overtime at the rate of double (2) the employee's current hourly rate shall be paid to all employees for all work performed on Saturday.

Overtime at the rate of double (2) the employee's current hourly rate shall be paid to all employees for all work performed on Sundays and on the statutory holidays.

Employees shall be paid a one-half hour unpaid lunch break between 11:30 a.m. and 1:00 p.m. It is understood that no employee shall be required to work more than five consecutive hours without a lunch break.

It is agreed that crane operators on production on a shaft or tunnel shall continue to be scheduled and paid for nine (9) hours per day.

A shift premium of One Dollar and Seventy Cents (\$1.70) per hour will be paid for all work performed on a regularly scheduled second or third shift on a project.

1. Engineers operating all hoists hoisting materials out of shafts, tuggers, and derricks with lifting capacity over 2,000 pounds, compressor house set-up man, self-propelled power drills, hydraulic, etc.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$19.54	1.95	.70	1.60	\$23.79
May 1, 1989	\$20.49	2.05	.75	2.00	\$25.29

...7...



2. Heavy Duty Field Mechanics.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$19.29	1.93	.70	1.60	\$23.52
May 1, 1989	\$20.24	2.02	.75	2.00	\$25.01

3. Engineers operating shaft hoist, tuggers and derricks, 2,000 pounds or less, compressor operators 500 CFM or over.

	<u>Wages</u>	<u>Vacation Pay</u>	<u>Benefit Plan</u>	<u>Pension Plan</u>	<u>Total</u>
May 1, 1988	\$19.19	1.92	.70	1.60	\$23.41
May 1, 1989	\$20.14	2.01	.75	2.00	\$24.90

PREMIUM RATES IN COMPRESSED AIR

<u>Air Pressure</u>	<u>Premium Per Shift</u>
1 to 14 lbs.	\$14.50
15 to 20 lbs.	\$18.00
21 lbs.	\$22.00
Over 21 lbs.	\$ 1.50 per pound over and above the rate for 21 lbs.



Contract Settlement between The Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America (Local 18, Hamilton)

The wages and related payments for regularly scheduled daytime hours for Journeymen Carpenters are as follows:

Effective Date	Hourly Rate	Vacation Pay 4%	Holiday Pay 6%	Health and Pension Welfare	S.U.B.	Total
June 23/88	\$21.31	\$2.13		\$2.60		\$26.04
May 1/89	\$22.67	\$2.27		\$2.60		\$27.54

Foreman Differential: \$1.00

Travel Time: 35.7 ¢ per mile

Apprentices:

	June 23/88	May 1/89
1st six months 40% of journeyman rate	\$ 8.52	\$ 9.07
2nd six months 50% of journeyman rate	\$10.66	\$11.34
2nd year 65% of journeyman rate	\$13.85	\$14.74
3rd year 75% of journeyman rate	\$15.98	\$17.00
4th year 85% of journeyman rate	\$18.11	\$19.27

The wages and related payments for regularly scheduled daytime hours for Acoustical & Drywall Workers is as follows:

Effective Date	Hourly Rate	Vacation Pay 4%	Holiday Pay 6%	Health and Pension Welfare	S.U.B.	Total
June 23/88	\$21.31	\$2.13		\$2.60		\$26.04
May 1/89	\$22.67	\$2.27		\$2.60		\$27.54

Foreman Differential: \$1.00

Travel Time: 35.7¢ per mile

Apprentices:

	June 23/88	May 1/89
1st 750 hour period - 40%	\$ 8.52	\$ 9.07
2nd 750 hour period - 50%	\$10.66	\$11.34
3rd 750 hour period - 60%	\$12.79	\$13.60
4th 750 hour period - 70%	\$14.92	\$15.87
5th 750 hour period - 80%	\$17.05	\$18.14
6th 750 hour period - 90%	\$19.18	\$20.40

Contract Settlement between The Carpenters Employer Bargaining Agency and The Ontario Provincial Council, United Brotherhood of Carpenters and Joiners of America (Local 18, Hamilton)

The wages and related payments for regularly scheduled daytime hours for Resilient Floor Workers are as follows:

Hardwood Floor Layers

Effective Date	Hourly Rate	Vacation Pay 4%	Holiday Pay 6%	Health and Pension Welfare	S.U.B.	Total
June 23/88	\$21.31	\$2.13		\$2.60		\$26.04
May 1/89	\$22.67	\$2.27		\$2.60		\$27.54

Foreman Differential: \$1.00

Travel Time: 35.7¢ per mile

Apprentices:	June 23/88	May 1/89
1st six months - 40% of journeyman rate	\$ 8.52	\$ 9.07
2nd six months - 50% of journeyman rate	\$10.66	\$11.34
2nd year - 65% of journeyman rate	\$13.85	\$14.74
3rd year - 75% of journeyman rate	\$15.98	\$17.00
4th year - 85% of journeyman rate	\$18.11	\$19.27

Resilient Floor and Carpet Layers

Effective Date	Hourly Rate	Vacation Pay 4%	Holiday Pay 6%	Health and Pension Welfare	S.U.B.	Total
June 23/88	\$19.34	\$1.93		\$2.60		\$23.87
May 1/89	\$20.70	\$2.07		\$2.60		\$25.37

Foreman Differential: \$1.00

Travel Time: 35.7¢ per mile

Apprentices:	June 23/88	May 1/89
1st six months - 40% of journeyman rate	\$ 7.74	\$ 8.28
2nd six months - 50% of journeyman rate	\$ 9.67	\$10.35
2nd year - 65% of journeyman rate	\$12.57	\$13.46
3rd year - 75% of journeyman rate	\$14.51	\$15.53
4th year - 85% of journeyman rate	\$16.44	\$17.60

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Tony M. Assenza	Motor Mechanic Class 'A'	Central Garage (division of Public Works)	Resigned	1 year, 6 months	August 5, 1988
Mr. Ken Bellevance	Motor Mechanic Helper	Central Garage (division of Public Works)	Terminated	5 years, 11 months	August 6, 1988
Ms. Darlene Chaisson	Stenographer I	City Solicitor's	Resigned	6 years, 8 months	July 22, 1988
Mr. Ronald Deverson	Housing Loans Officer	Community Development	Retired	23 years, 6 months	April 30, 1988
Mr. Keith Dawn	Receipts Clerk	Parking Authority	Resigned	6 years, 6 months	August 3, 1988
Mr. John Hargrove	Captain	Fire	Retired	34 years	July 31, 1988
Mr. Fred Milsome	Custodian	Hamilton Military Museum (division of Culture & Recreation)	Retired	10 years, 10 months	July 31, 1988
Ms. Joanne Partington	Education Officer	Children's Museum (division of Culture & Recreation)	Resigned	2 years	August 1, 1988
Mr. Carl Polsky	Tractor Operator	Public Works	Retired	24 years, 2 months	July 31, 1988
Mrs. Bess Spademan	Assistant to the Director of Public Works	Public Works	Retired	35 years, 4 months	August 1, 1988
Mr. Joe Tsao	Sales Executive	Copps Coliseum (division of H.E.C.F.I.)	Resigned	3 years, 2 months	July 29, 1988

Prepared 17 August 1988

Appendix "C" as referred to in  
Section 5 of the Tenth Report for  
1988 of the Personnel Committee

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Carmela Alletto	Stenographer I (E-5)	Traffic	replacing Ms. L. Lachance Hass - resigned	\$406.87 to \$457.46	\$406.87 per week (1 of 4)	June 27, 1988
Mr. Armand J. Arsenault	Motor Mechanic Helper (D-9)	Central Garage (division of Public Works)	replacing Mr. S. McEwan - promoted	\$12.192 to \$12.392	\$12.392 per hour (2 of 2)	July 18, 1988
Ms. Ellen Arcas	Typist Clerk II (E-2)	Treasury	replacing Ms. E. Arcas - rehired into former position	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	July 18, 1988
Mr. Loris Busnello	Draftsman II (A-6)	Traffic	replacing Mr. J. Danby - promoted	\$454.40 to \$544.90	\$454.40 per week (1 of 5)	July 11, 1988
Ms. Betty Carter	Administrative Assistant IV (Q)	City Clerk's	replacing Ms. D. Geroux - promoted	\$22,496.76 to \$26,517.92	\$24,453.00 per annum (3 of 5)	June 27, 1988
Mr. Robert Craig	Education Officer (O)	Children's Museum (division of Culture & Recreation)	replacing Ms. J. Partington - resigned	\$27,278.68 to \$32,060.60	\$27,278.68 per annum (1 of 5)	July 13, 1988
Mr. Robert Duckworth	Horticultural Technical Assistant (D-17)	Public Works	New Position approved by City Council (1988)	\$14.523 to \$14.723	\$14.723 per hour (2 of 2)	July 18, 1988

Prepared 17 August 1988



**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Douglas A. Durcan	Superintendent of Streets & Sanitation (J)	Streets & Sanitation (division of Public Works)	replacing Mr. D. Lobo - promoted	\$43,145.96 to \$50,862.24	\$43,145.96 per annum (1 of 5)	August 2, 1988
Ms. Joyce Evans	Senior Accounting Clerk (11)	H.E.C.F.I.	Additional Staff per board approval (1988)	\$25,700.00	\$25,700.00 per annum	July 25, 1988
Mr. Larry A. Friday	Treasury Officer IV - Revenues (J)	Treasury	replacing Mr. W. Gilchrist - transferred	\$43,145.96 to \$50,862.24	\$43,145.96 per annum (1 of 5)	May 9, 1988
Mr. John Gamble	Housing Loans Officer (A-9)	Community Development	returning to former position	\$521.73 to \$624.82	\$624.82 per week (5 of 5)	July 11, 1988
Ms. Melissa D. Gould	Housing Loans Clerk (E-5)	Community Development	replacing Ms. B. Carter - promoted	\$406.87 to \$457.46	\$441.53 per week (3 of 4)	July 11, 1988
Ms. Nancy E. Hamm	Stenographer III (E-3)	Property	replacing Ms. M. Muir - promoted	\$361.95 to \$391.04	\$361.95 per week (1 of 3)	July 18, 1988
Mr. Ross Holland	Office Manager II (L)	Traffic	replacing Mr. G. Wooldridge - resigned	\$34,886.28 to \$41,081.04	\$41,081.04 per annum (5 of 5)	July 25, 1988
Mr. Donald Inglis	Assistant Manager, Property Maintenance Division (I)	Property Maintenance (division of Property Department)	replacing Mr. R. Swan - promoted	\$45,102.20 to \$53,144.52	\$45,102.20 per annum (1 of 5)	May 2, 1988

Prepared 17 August 1988

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Irene J. Kozak	Stenographer II (E-4)	Building	replacing Ms. E. Buffet - resigned	\$397.31 to \$425.83	\$410.00 per week (2 of 3)	June 27, 1988
Mr. John W. Lewis	Garbageman (D-8)	Public Works	replacing Mr. G. Noble - transferred	\$12.128 to \$12.328	\$12.328 per week (2 of 2)	August 2, 1988
Mr. Neubert Li	Senior Property Officer/Appraiser (A-15)	Property	replacing Mr. W. Burr - deceased	\$659.99 to \$755.21	\$755.21 per week (6 of 6)	August 2, 1988
Mr. Joseph F. Mangano	Garbageman (D-8)	Public Works	replacing Mr. D. Keddle - terminated	\$12.128 to \$12.328	\$12.328 per hour (2 of 2)	July 11, 1988
Ms. G. Diane Occhiuto	Receptionist (Aldermen) (Q)	Aldermen's Offices (City Clerk's)	returning to former position	\$22,496.76 to \$26,517.92	\$22,496.76 per annum (1 of 5)	July 28, 1988
Ms. Linda Parlee	Switchboard Operator (A-3)	City Clerk's	returning to former position	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	July 18, 1988
Mr. Bryan Moon	Senior Building Inspector (A-16)	Building	replacing Mr. D. Inglis - promoted	\$673.74 to \$782.78	\$719.72 per week (3 of 5)	May 2, 1988
Ms. Maria Muir	Stenographer I (E-5)	City Solicitor's	replacing Mrs. M. Kay - promoted	\$406.87 to \$457.46	\$406.87 per week (1 of 4)	July 18, 1988

Prepared 17 August 1988

**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS TO PERMANENT POSITIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Kevin Mutley	Property Officer (A-9(a))	Property	replacing Ms. I. Taravski - promoted	\$533.06 to \$635.59	\$533.06 per week (1 of 5)	August 8, 1988
Ms. Janet Seki	Stenographer I (E-5)	City Solicitor's	returning to former position	\$406.87 to \$457.46	\$457.46 per week (4 of 4)	August 2, 1988
Ms. Rosemarie Spagnuolo	Stenographer I (E-5)	City Solicitor's	replacing Ms. D. Chaisson - resigned	\$406.87 to \$457.46	\$406.87 per week (1 of 4)	August 8, 1988

Prepared 17 August 1988









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its THIRTEENTH Report for 1988 and respectfully recommends:

1. (a) That a general one-time only grant in the amount of \$200. be made to the National Council of Jewish Women to be used to assist in defraying the expenses of a fund raising project for the Hamilton-Wentworth Head Injury Association to be held at Hamilton Place 1988 September 10.
- (b) That this grant be funded from within the Grants Budget Account No. 0374-XXXX.

2. That a purchase order be issued to Gillies-Guy, Hamilton for the supply and delivery of Domestic Fuel as and when required to various departments, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, at the following prices:

No. 2 Furnace Oil

Stove Oil

.1825 per litre

.1925 per litre

Based on Toronto Rack Price, subject to change in taxes and the published price in the Oil Buyer's Guide.

**Note:** Lowest of two (2) quotations received. Funds provided in various accounts.

3. (a) That settlement and a Release be authorized for Release of all claims past, present and future of Mr. Mitsui arising from the expropriation of his home on York Boulevard 1975. Consideration of payment by the City in the amount of \$25 000.
- (b) That the cost of this settlement be funded from Account No. 0472.

4. That the employer's share of the cost to implement the purchase of War service as credited pensionable service for eligible members of Ontario Municipal Employees Retirement System to a maximum of \$144 746. as of 1988 January 01, be funded from Reserve Account No. 0280-32.

Note: This item was approved by the Personnel Committee at its meeting held 1988 August 24.

5. That the estimated cost of \$12 422. for the remainder of 1988 of providing School Crossing Guard service at various intersections, as approved by City Council 1988 July 26, in adopting Sections 34, 35, 42 and 44 of the Eleventh Report of the Transport and Environment Committee, be funded from within the existing School Crossing Guard budget, on an overdraft basis if necessary.
6. (a) That for all new subdivision agreements only the following be acceptable as credit instruments:
- (i) Letters of Credit
  - (ii) Cash
  - (iii) Treasury Bills
  - (iv) Guaranteed Investment Certificates
  - (v) Term Deposits
  - (vi) Government of Canada Bonds
  - (vii) Savings Accounts
- (b) That the credit instrument be registered in the name of the Corporation of the City of Hamilton or bearer form;
- (c) That interest accruing on a credit instrument shall be credited on the contractor or developer;
- (d) That both performance bonds and contract maintenance bonds be phased out as they come up for renewal and be replaced by letters of credit or other acceptable securities;



- (e) That performance bonds and mortgage currently held can be renewed, but only until the completion of the project for which they are being held;
- (f) That all credit instruments be maintained by the Treasury Department;
- (g) That the Treasury Department maintain a list of all contractors and developers with valid letters of credit to which the Engineering Department will have direct access.
- (h) That the Treasurer be directed to forward a courtesy newsletter to the contractors and developers advising them of Council's new procedures respecting Subdivision Securities.

7. Settlement of Claim - Guagliano vs. City of Hamilton and Marynowicz,  
1984 March 19

- (a) That the City pay the judgment dated 1988 July 14 which will total, as of 1988 September 01, \$29 963.99.
- (b) That the City pay the plaintiff's party and party costs, exclusive of disbursements, in the amount of \$11 250.
- (c) That the City pay the plaintiff's legal and medical legal disbursements totalling \$3 937.91.

Note: This action was tried 1988 June 6, 7 and 8. It involved a rear end collision in which a City vehicle struck the vehicle driven by the plaintiff. Liability was admitted on behalf on the City, as a result of which the action proceeded as an assessment of damages.

In January 1988, Counsel for the City reached a tentative settlement with the solicitor for the plaintiff in which both Counsel for both parties each agreed to recommend settlement based upon an assessment of damages and interest totalling approximately \$38 400. The plaintiff refused to accept his lawyer's recommendation, upon the expectation that he would recover substantially more at trial. The plaintiff was seeking a total of \$200 000. in damages. On 1988 July 14, the Judge delivered his judgment, in which he awarded the plaintiff \$20 300. for damages, plus interest. The judgment represents the total of damages and interest to the date of the judgment. The plaintiff recovered substantially less than had been previously negotiated.

The court also awarded the plaintiff his costs. Rather than have the costs assessed by the court, Counsel for the City has negotiated with the plaintiff's lawyer a figure of \$11 250. for those costs. City's Counsel believes this is fair and reasonable having regard to the fact that the trial took 3 days and involved extensive preparation. The disbursements which City's Counsel recommended that the City pay are those disbursements which it would be obligated to pay if the costs were to be assessed by the court.

8. Consistent with City Council policy established 1988 July 26, by Section 3 of the Twelfth Report of the Finance Committee, members of City Council are advised that the claim of Angelina Camera in connection with a slip and fall, 1986 February 14, has been approved and settled in the amount of \$2 000. as an all inclusive contribution towards settlement of the plaintiff's claim.

Respectfully Submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1988 August 23  
mjw

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## REPORT OF THE INFORMATION SYSTEMS COMMITTEE

The Information Systems Committee met at 12:00 o'clock noon on Wednesday, 1988 August 10 in the Committee Room, 15th Floor, Regional Offices.

**Present:** Chairman (Councillor) J. Gallagher  
Councillor A. Sloat  
Councillor D. Agostino

**Absent with Regrets:** Councillor S. Napper  
Councillor P. Valeriano

**Members of Council:**

The Information Systems Committee presents Report 4-88:

1. LEASING SUPPLIER FOR 3174 COMMUNICATIONS CONTROLLER AND REPLACEMENT  
4224 REMOTE PRINTERS

Your Committee recommends:

- (a) That Triathlon Leasing of Richmond Hill provide Leasing services in accordance with their Proposal dated 1988 July 6. Lowest of two leasing proposals received.

One IBM 3174 Communications Controller \$366.66 /month for 48 months

Two IBM 4224, 400 character/second  
Remote printers \$178.45 ea./month for 48 months

Two IBM 4224, 200 character/second  
Remote printers \$126.46 ea./month for 48 months

- (b) That the leasing agreement be in a form satisfactory to the City Solicitor.

**NOTE:** Funds have been provided for in Account No. 0323-25-84 (leasing). The replacement 4224 printers will save \$1 300. in leasing costs per year.

Agenda Item #2



Respectfully Submitted,

J. Gallagher, Chairman

John Thompson, Acting Secretary  
1988 August 10

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FOR THE INFORMATION OF COUNCIL

- (a) Minutes of the Meetings of the Information Systems Committee held 1988 May 05 and 1988 June 15 were received and adopted as presented.

Agenda Item #1

- (b) Comparison of lease and purchase of computer equipment.

This report was tabled until the new Director/Facilities Manager has been hired.

Agenda Item #3

- (c) The following item was received for information:

- (i) Letter from Wang Canada Ltd. dated 1988 July 29 regarding Ref: PaRCILS RFP Response process.

New Business









REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER  
THE HAMILTON-SCOURGE PROJECT

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Special Committee to Administer the Hamilton-Scourge Project presents its FIRST Report for 1988 and respectfully recommends:

1. That approval be given to proceed with the construction of a Conservation Lab for the Hamilton/Scourge project, to be located on the campus of McMaster University, at an estimated cost of \$220,000, as provided within the 1988 Capital Budget estimates.
2. That the contract for construction of the Conservation Lab be awarded to McMaster University based on the following terms and conditions:
  - (i) That the plans and specifications for same be approved by the City of Hamilton,
  - (ii) That the terms and conditions for the tender documents be reviewed by appropriate City and University staff,
  - (iii) That the City of Hamilton would hold title to the Conservation Lab.
3. That the Executive Committee be requested to recommend the method of financing.

Respectfully submitted,

ALDERMAN W. M. McCULLOCH, CHAIRMAN  
SPECIAL COMMITTEE TO ADMINISTER  
THE HAMILTON-SCOURGE PROJECT

S. J. Dembe, Secretary  
1988 August 23





NOTICES OF MOTION

- (a) Alderman G. Copps
- (b) Alderman D. Agostino
- (c) Alderman V. J. Agro



## NOTICE OF MOTION

Alderman G. Copps gave notice that she would move the following Notice of Motion at the next regular meeting of City Council.

"RESOLVED: That Section 45 (1) (a) of Procedural By-law No. 82-203 be amended by adding the following to Sub-clause (a):

"or unless by any person who is the subject to actions taken relating to wages, salaries, benefits, discipline, hiring, termination and change in status who shall have the automatic right of a public hearing should he/she so choose."





# NOTICE OF MOTION

Alderman D. Agostino gave notice that he would move the following Notice of Motion at the next regular meeting of City Council:

"RESOLVED: That the City of Hamilton request the Federal Government to enact legislation in order to require Cable Companies to appear before the C.R.T.C. to justify and seek approval for any rate increases exceeding 4%."



## NOTICE OF MOTION

Alderman V. J. Agro gave notice that he would move the following Notice of Motion at the next regular meeting of City Council:

- "RESOLVED: (a) That, in keeping with the strong Committee system, and on the basis that each Ward be represented on all Standing Committees, the Finance Committee assume all of the duties and responsibilities of the Executive Committee.
- (b) That the Mayor, by virtue of his office, be Chairman of the Finance Committee.
- (c) That the Vice-Chairman of the Finance Committee be appointed by City Council.
- (d) That this change be effective December 1988.
- (e) That the City of Hamilton Procedural By-law No. 82-203 be amended to reflect this change."





BY-LAW NO. 88 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 30th DAY OF AUGUST A.D., 1988.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 1988.

CITY CLERK

MAYOR

URBAN MUNICIPAL

AUG 30 1988

GOVERNMENT DOCUMENTS

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 88 -

TO INCORPORATE PARTS 1 AND 4, PLAN 62R-7802  
INTO EVA STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Eva Street by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Eva Street.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this        day of        A.D. 1988.

City Clerk

Mayor

(1988) 7 R.T.E.C. 22, April 26

SCHEDULE "A"

being part of Lots 2 and 3, Registered Plan 1007  
designated as Parts 1 and 4, Plan 62R-7802  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
Registry Division of Wentworth (No. 62)

BY-LAW NO. 88 -

TO AMEND BY-LAW NO. 86-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law 86-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended:

a) by adding to OUTBOUND column of the Nash - Barton Table the following item, namely:

"Ambrose at Veevers".

and by deleting therefrom the following item, namely:-

"Ambrose at Greenhill".

b) by adding to the Westbound Column of the Delaware - Main West (Rosedale Extension) Table the following item, namely:-

"Rosedale at Dumbarton".

2. Schedule 25A (Parking Time Limits) is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"East 35th                      Both                      Concession to Crockett".

3. Schedule 26 (No Parking Areas) is hereby amended:

a) by adding to Section A (No Parking Anytime) the following items, namely:-

Colbourne	South	James to 82 feet west
David	East	Southbend to 171 feet south
Locke	West	commencing at a point 42 feet south of Canada to a point 22 feet southerly
Park	West	Colbourne to Cannon
Park	West	Murray to Barton
Park	East	Barton to Colbourne
Charlton	South	Locke to 596 feet west
Charlton	North	from a point 505 feet west of Locke to Dundurn
Franklin	North	North leg of Parkview to the south leg of Parkview
Parkview	East and South	Franklin to Bond
Glen	South	Bond to Parkside".

and by deleting therefrom the following items, namely:-

Bold	South	Pearl to Ray
David	East	South Bend to 90 feet south
Park	West	Murray to Cannon".



b) by adding to Section B (Loading Zones) the following item, namely:-

"Mulberry            South        42 feet    40 feet east of MacNab    7:00am-6:00pm  
Monday to  
Saturday".

and by deleting therefrom the following item, namely:-

"Canada            South        22 ft.    25 ft. west of Locke    Anytime".

c) by adding to Section C (No Parking 7:00 a.m. to 6:00 p.m.) the following item, namely:-

"Inverness        South                    Upper Wentworth to 148 feet west".

4. Schedule 26A (No Parking Areas) is hereby amended by adding to Section K (No Parking 8:00 a.m. - 5:00 p.m.) the following item, namely:-

"Macallum        South                    commencing 337 feet west of Wentworth to  
a point 20 feet westerly therefrom".

5. Schedule 27A (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Charlton Avenue                    North                    South".  
Locke Street to Westerly End

and by adding thereto the following item, namely:

"Charlton Avenue                    North                    South".  
Dundurn to Westerly End

6. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Park            West            Barton to Colbourne            Anytime".

PASSED THIS            DAY OF            , A.D. 198 .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

BY-LAW NO. 88 -

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:

"Duff Court	Southbound	Duff Street/West 2nd
Glenayr	Northbound	Greenshire
Firenze	Southbound	Anthony
Monte	Northbound	Vienna
Brucedale	Eastbound and Westbound	East 16th
Catalina	Southbound	Dover".

2. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Hummingbird	East	80 feet	commencing at a point	7:00am-6:00pm
			542 feet south of the	Monday to
			south curb line of	Saturday".
			Bobolink	

3. Schedule 35 (Wheelchair Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Guise	South	31 feet	80 feet east of James	Anytime".
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PASSED THIS                      DAY OF                      , A.D. 198 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Establish:

AN ELDERLY PERSONS CENTRE  
ON THE SITE MUNICIPALLY KNOWN AS 53 LAKE AVENUE

WHEREAS subsection 3(1) of the Elderly Persons Centres Act, R.S.O. 1980, Chapter 131, provides as follows:

(1) The council of a municipality may by by-law approved by the Minister provide for the establishment and operation of centres and may acquire by purchase, lease or otherwise real and personal property for that purpose;

AND WHEREAS clause 1(c) of the said Act provides as follows:

(c) "centre" means all or part of a building or buildings maintained and operated to provide social, recreational or other services for elderly persons;

AND WHEREAS it is intended to establish an Elderly Persons Centre at 53 Lake Avenue, so as to enable the Centre to become eligible for grants under the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. A centre within the meaning of the Elderly Persons Centres Act is hereby established, and shall be operated, at the site municipally known as 53 Lake Avenue.

2. This by-law comes into force upon the approval of the Minister of Community and Social Services.

PASSED this            day of            , A.D. 1988.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Designate:

LAND LOCATED AT MUNICIPAL NO. 286 SANFORD AVENUE NORTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 286 Sanford Avenue North and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
  - (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
  - (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor



Schedule "A"

To

By-law No. 88-

THE CANADIAN WESTINGHOUSE HEAD OFFICE

286 Sanford Avenue North,  
Hamilton, Ontario

All of Lots 15 and 28, and part of alleyway as closed by City of Hamilton By-law No. 2035, registered as Instrument 178542 Hamilton and as Instrument 535 By-law, Plan 167, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, designated as Part 1 on Reference Plan 62R-9241.

SCHEDULE "B"

To

By-law No. 88-

REASONS FOR DESIGNATION

THE CANADIAN WESTINGHOUSE HEAD OFFICE

286 Sanford Avenue North  
Hamilton, Ontario

The Canadian Westinghouse head office at 286 Sanford Avenue North was erected in 1917, directly south of the company's main plant. Designed by the Hamilton architectural firm of Prack & Perrine, the original five-storey brick and stone clad building had a dignified presence in the City's rapidly growing industrial east end. With the increased height gained by the addition of two more stories in 1928, the building acquired a taller, narrower profile while retaining all of its original architectural features. Today the Westinghouse office building dominates the surrounding low-rise buildings and open spaces and is a prominent landmark in the Barton Street/Sanford Avenue area.

Designed by the predecessor of Prack & Prack, architects of the Pigott Building (1929) and the Lister Block (1923), the building is representative of the industrial office buildings designed by Canadian architects in the early 20th century. The Westinghouse head office was an attractive and functional building designed to accommodate the company's executive and office staff as well as to project a successful corporate image. The advanced reinforced concrete construction is expressed in the modern grid-like composition of the building's two end sections. More traditional is the classical treatment of the top and bottom floors, expressed by the decorative stone cornice, string courses, and arched window and door surrounds with prominent keystones. Another noteworthy feature of the original design was the suspended ornamental metal canopy over the main entrance doorway (removed in 1969 or 1970). Decorative plaques between the arched openings of the first storey display the Westinghouse logo.

The City of Hamilton was selected as the site of the Canadian Westinghouse headquarters following the company's incorporation in 1903. The erection of a large head office building symbolized its impressive growth, from a small railroad air brake manufacturing firm established at this location in 1897 by George Westinghouse to one of the country's leading manufacturers of electrical equipment. The 1928 addition to the building following the first major expansion of the company's production facilities - the completion in 1924 of its west end plant. Throughout its history, the Canadian Westinghouse Co. (now Westinghouse Canada Ltd.) has played a major role in Hamilton's industrial growth and made an important contribution to the development of new types of electrical apparatus: notably, transformers, hydro-electric generators (used in Ontario Hydro stations on the Niagara River), radios, stoves and refrigerators.

Important to the preservation of the Canadian Westinghouse head office building are the original architectural features of all four exterior facades, including the brick masonry walls, the stone trim and the wood-framed, double-hung windows, but excluding the modern entrance doors on the east and west facades.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF SANATORIUM ROAD,  
IN THE AREA SOUTH OF SCENIC DRIVE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding section 7A(1) of By-law No. 6593, the following

(i) COMMERCIAL USES shall be permitted:

1. offices of physicians, surgeons, and dentists in private practice;
2. prescription drugs and patent medicine stores,
3. medical and other health laboratories,
4. tuck shop.

(ii) ACCESSORY USES shall be permitted:

1. uses accessory to the Commercial Use referred to in subsection 1(a)(i)l.;

(b) clauses (ii) and (iii) of subsection (3) of Section 7A of By-law No. 6593 shall not apply;

- (c). notwithstanding subsections (d) and (e) of section 18A.(1) of By-law No. 6593, at least one loading space measuring not less than 9.0 m. x 3.7 m. x 4.3 m. shall be provided and maintained on the site;
- (d) notwithstanding section 18A.(9) of By-law No. 6593, the required parking may be provided and maintained off-site;
- (e) subsections (11), (12), (14) and (26) of section 18A. of By-law No. 6593 shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1082.

4. Sheets Nos. W-36 and W-37 of the District Maps are amended by marking the land referred to in section 1 of this by-law, S-1082.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

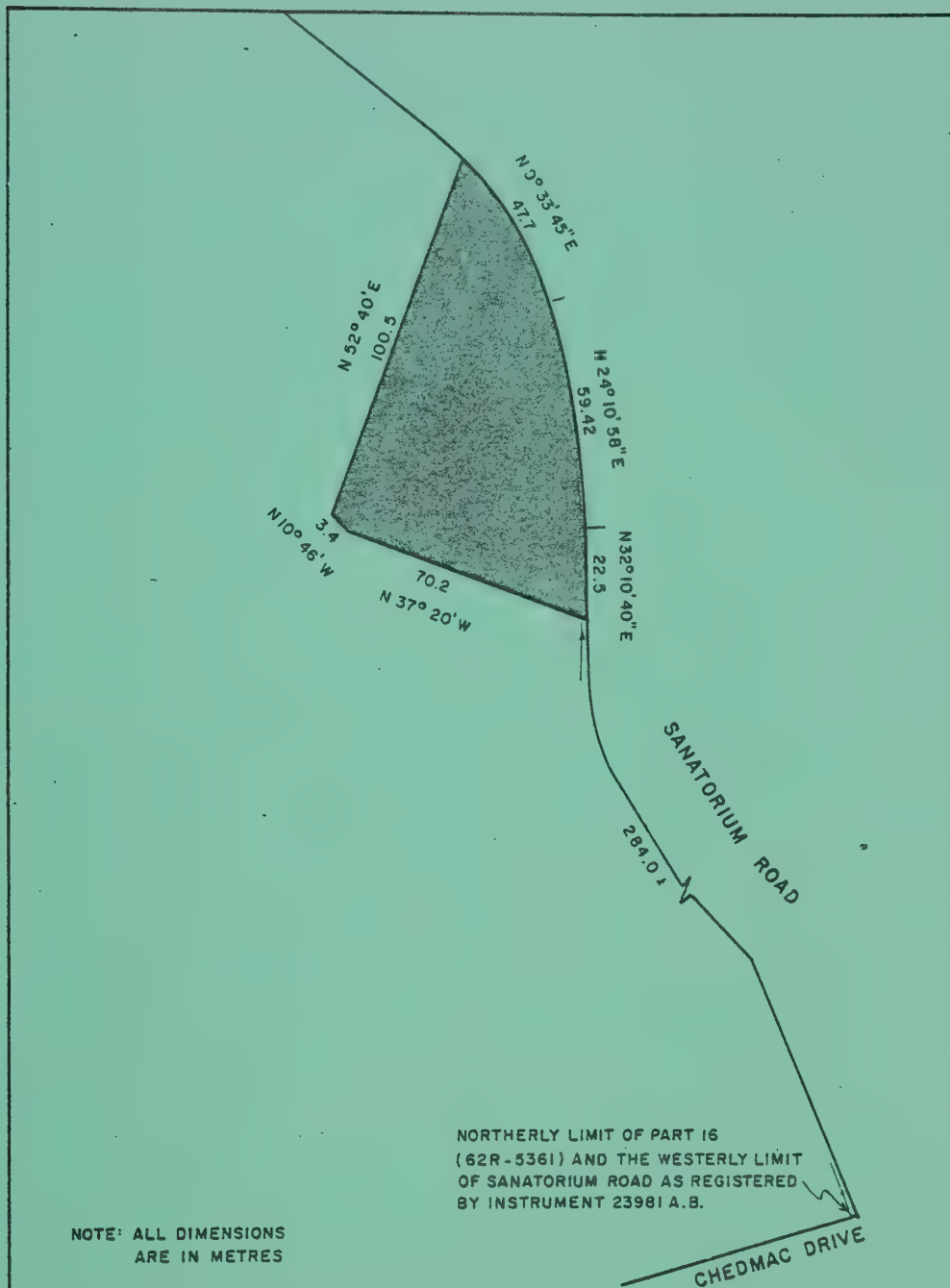
PASSED this                      day of                      , A.D. 1988.

City Clerk

Mayor

(1988) 15 R.P.D.C. 29(a), June 28  
Chedoke-McMaster Hospitals, Owner  
ZA-88-23





THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

 LANDS TO BE REGULATED  
BY BY-LAW NO. 88 -

North



Scale  
NOT TO SCALE

Date  
JUNE 28, 1988

Reference File No.  
ZA-88-23

Drawn By  
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED ON THE WEST SIDE OF SANATORIUM ROAD,  
IN THE AREA SOUTH OF SCENIC DRIVE

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, [now section 40 of The Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July, 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

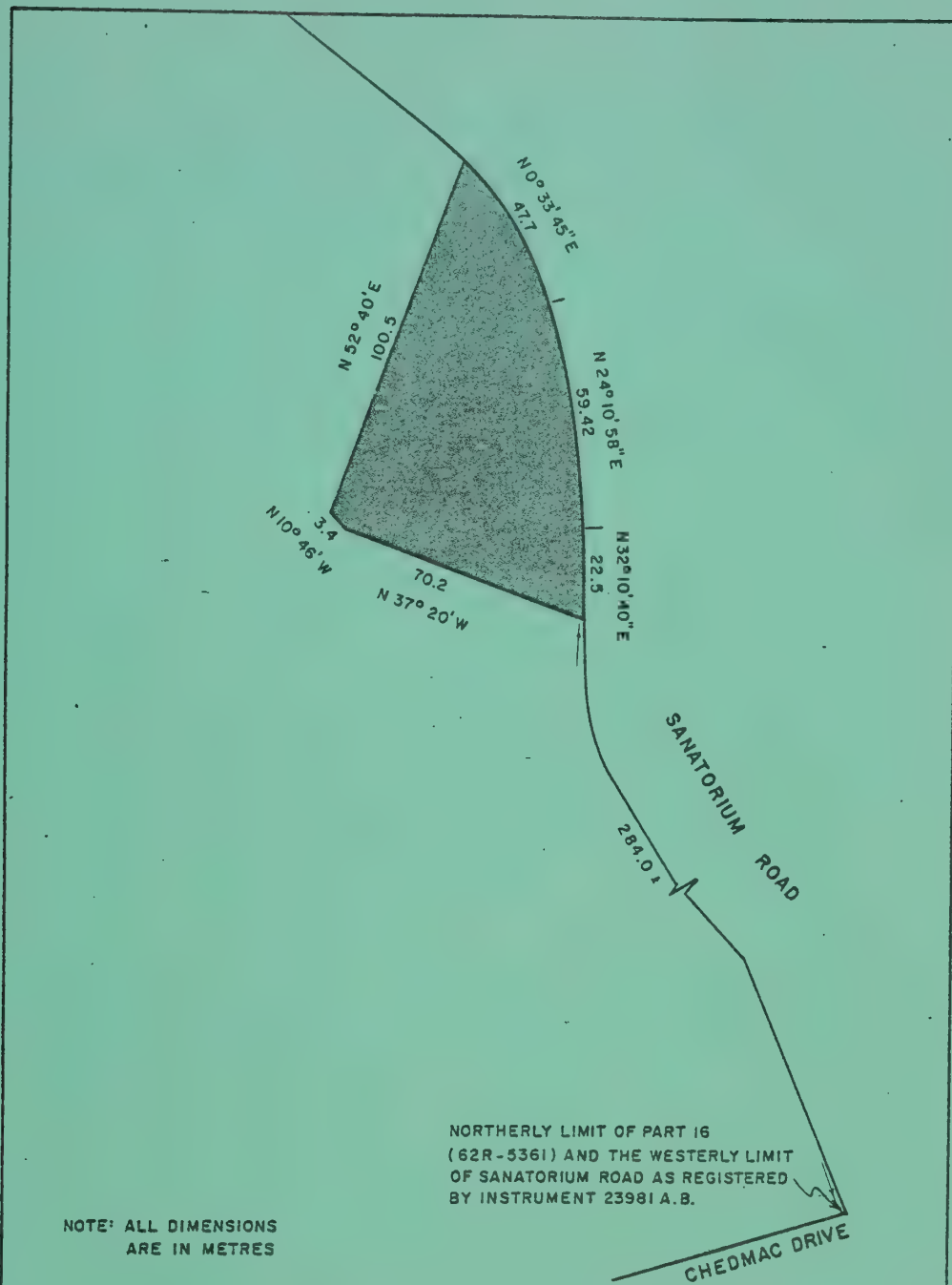
112. Land Located on the West side of Sanatorium Road, in the area South of Scenic Drive, shown on Appendix 112 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275 as Appendix 112.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor



THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**APPENDIX 112  
TO BY-LAW NO. 79-275**

**AS AMENDED BY  
BY-LAW NO. 87-223**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



LANDS DESIGNATED UNDER THIS BY-LAW AS AN AREA OF SITE PLAN CONTROL PURSUANT TO SECTION 40 OF THE PLANNING ACT.

North



Scale

NOT TO SCALE

Reference File No.

ZA-88-23

Date

JUNE 28, 1988

Drawn By

Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF  
UPPER SHERMAN AVENUE AND LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6993, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 58, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by the Minister under the Planning Act at the time of the passing of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-27A and E-27B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) District provisions applicable to the land referred to in section 1, are amended to the extent only of the special requirement that,

- (a) notwithstanding section 14A(1) of By-law No. 6593, only the following Commercial Use shall be permitted on the site:

- 1. a retail variety store with an accessory gas bar.



3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1084.

5. Sheets Nos. E-27A and E-27B of the District Maps are amended by marking the land referred to in section 1 of this by-law, S-1084.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

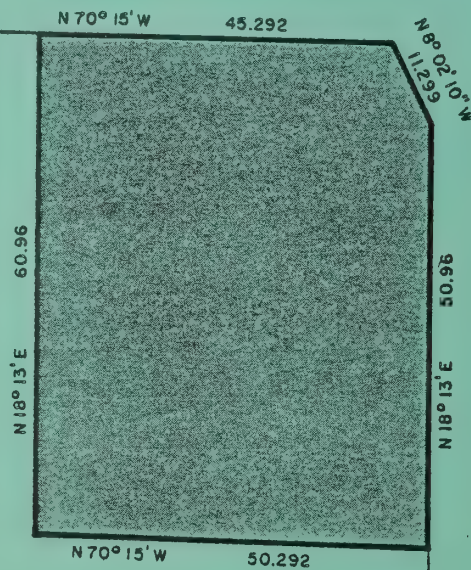
PASSED this            day of            , A.D. 1988.

City Clerk

Mayor

(1988) 15 R.P.D.C. 31(b), June 28  
David John Armstrong, Owner  
ZA-88-27

# LIMERIDGE ROAD EAST



UPPER SHERMAN AVENUE

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

## CITY OF HAMILTON

SCHEDULE "A"


MAP FORMING PART OF

BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

 CHANGE IN ZONING FROM "AA" (AGRI-CULTURAL) DISTRICT TO "HH" (RE-STRICED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.

North



Scale  
NOT TO SCALE

Reference File No.  
ZA-88-27

Date  
JUNE 27, 1988

Drawn By  
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 287 LOCKE STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 10(1) of By-law No. 6593, the following,

(i) COMMERCIAL USES shall not be prohibited within the first storey of the building existing on the day of the passing of this by-law:

1. Grocery and variety store.
2. Pizza take-out shop.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" district provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1052.

4. Sheet No. W-14 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1052.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this            day of            A.D. 1988.

City Clerk

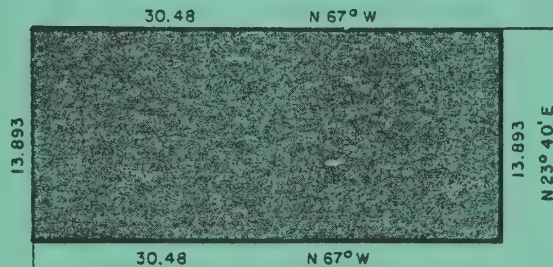
Mayor

(1987) 22 R.P.D.C. 1, November 24  
Eduardo Amaral, Owner  
ZA-87-97



# STANLEY AVENUE

LOCKE STREET SOUTH



NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor


## CITY OF HAMILTON

SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 88-  
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

 LANDS TO BE REGULATED  
BY BY-LAW NO. 88-

North 	Scale NOT TO SCALE	Reference File No. ZA-87-97
	Date NOV. 30, 1987	Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend By-law No. 88-09

Respecting:

ROOF LEADERS

WHEREAS By-law No. 80-245, passed on the 9th day of September 1980 in accordance with The Municipal Act, R.S.O. 1970, Ch. 284, [now The Municipal Act, R.S.O. 1980, Ch. 302, Section 210, paragraph 74 and Section 219, paragraph 1], provides for the regulation of land drainage;

AND WHEREAS By-law No. 88-09, passed on the 12th day of January, 1988, amended By-law No. 80-245 by requiring that roof leaders be connected to storm sewers;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 10 of the 16th Report of the Planning and Development Committee at its meeting held on the 26th day of July, 1988, directed that By-law No. 88-09 be amended to exempt from its provisions certain subdivisions, where the plan of subdivision is registered in the Land Registry Office prior to the 30th day of January, 1988.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of By-law No. 88-09, being an amendment to Section 6 of By-law No. 80-245, is amended by inserting the figure (a) after the number 6.

2. Section 4 of By-law No. 88-09 is further amended by adding thereto the following subsection:

6. (b) Subsection (a) shall not apply to subdivisions where the plan of subdivision is registered in the Land Registry Office for Hamilton-Wentworth prior to the 30th day of January, 1988.

PASSED this            day of            A.D. 1988.

City Clerk

Mayor

(1988) 16 R.P.D.C. 10, July 26

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Adopt:

Official Plan Amendment No. 59

Respecting:

LANDS LOCATED AT THE NORTH-WEST CORNER OF RYMAL ROAD EAST  
AND UPPER WENTWORTH STREET

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 59 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

## AMENDMENT NO. 59

### TO THE

### CITY OF HAMILTON OFFICIAL PLAN

The following text, together with Schedules "A" and "B", attached hereto, constitute Official Plan Amendment No. 59.

#### PURPOSE

The purpose of this Amendment is to permit the development of a Convenience Shopping Centre by redesignating the subject lands from "Residential" to "Commercial", and by establishing a Special Policy Area to exempt the proposal from the provisions of Policy D.2.5 x).

#### LOCATION

The lands affected by this Amendment are located at the north-west corner of Rymal Road East and Upper Wentworth Street.

#### BASIS

Council has deemed a Convenience Shopping Centre to be appropriate development at this location, and compatible with the surrounding land use pattern.

#### ACTUAL CHANGES

1. Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.
2. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.36:  
  
"Notwithstanding Policy D.2.5 x), for those lands shown on Schedule "B" as SPECIAL POLICY AREA 41, a Convenience Shopping Centre will be permitted on the .77 ha site at the north-west corner of Rymal Road East and Upper Wentworth Street, in addition to the Convenience Shopping Centres identified on Schedule "B-2" as Special Policy Area 23."
3. The following be added to Schedule "B" - Special Policy Areas:
  - Special Policy Area 41; and,
  - "Area 41 refer to Policy A.2.9.3.36" in the legend,as shown on the attached Schedule "B" of this Amendment.



IMPLEMENTATION

A Zoning By-law amendment will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 88-\_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 1988.

The Corporation of the  
City of Hamilton

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

CL-M:CS  
Attach.  
0015P

to the  
official plan  
for the  
city of hamilton

legend

area to be changed from:

Residential to Commercial

date	drawn by	reference file no.
July 1988	A.J.L.	8-2-88

DEFERRED NO D-6  
LATER SECTION (M10) OF  
THE PLANNING ACT

Lake Ontario

Cootes  
Paradise



land use concept

legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- opening golfers' green
- water & water front development
- radio frequency tower

Schedule A

to the official plan  
for  
the city of hamilton

# schedule B amendment no. 59

to the  
official plan  
for the  
city of hamilton

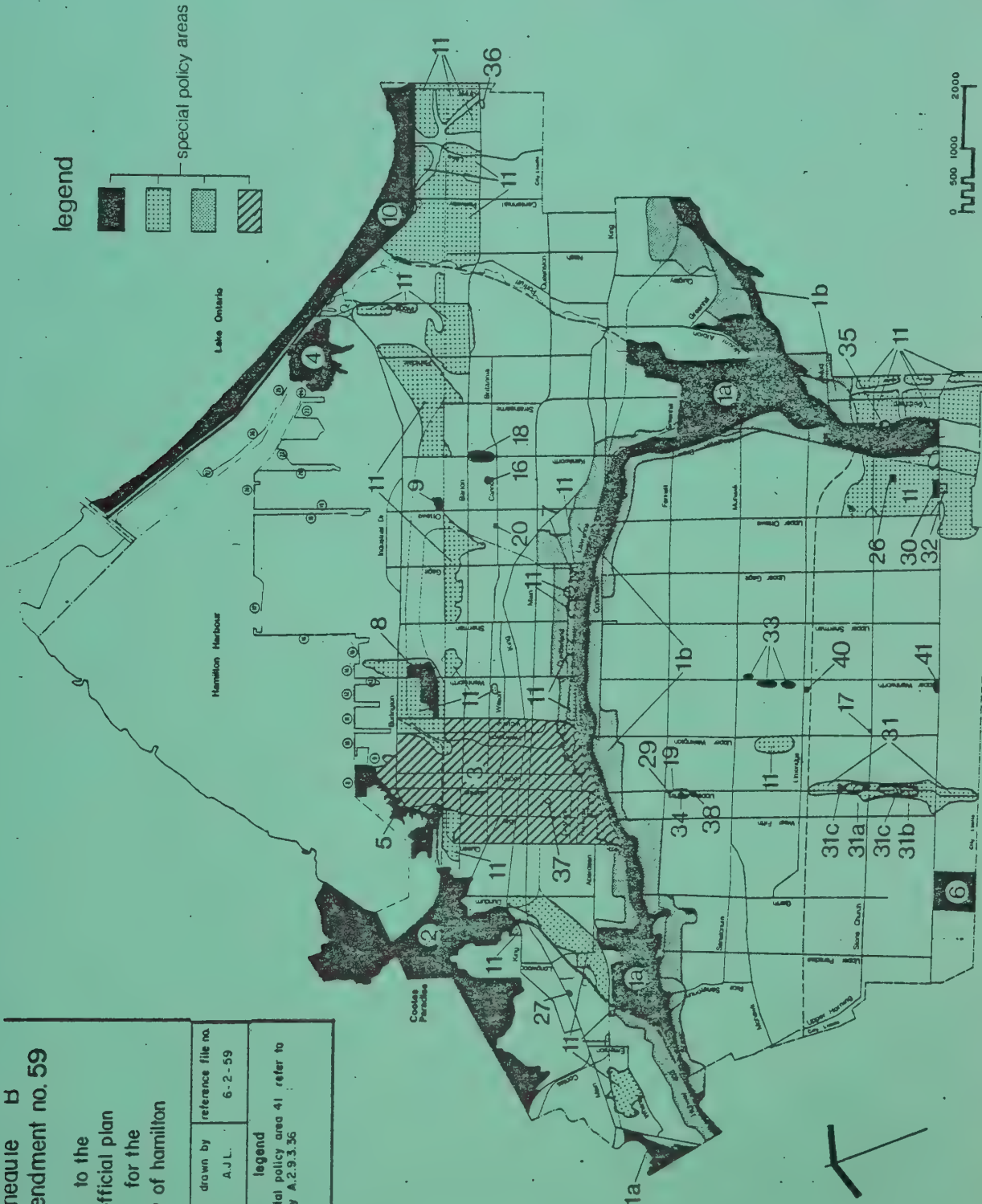
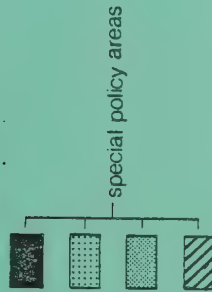
date JULY 1988	drawn by A.J.L.	reference file no. 6-2-59
<p>Special policy area 41 refer to policy A.2.9.3.36</p>		

## special policy areas

AREA REFER TO  
POLICY

1(a)	A.2.9.1
1(b)	A.2.9.1
2	A.2.9.2
3	A.2.9.3
4	A.2.9.3.1
5	A.2.9.3.2
6	A.2.9.3.3
7	A.2.9.3.4
8	A.2.9.3.5
9	A.2.9.3.6
10	A.2.9.3.7
11	A.2.9.3.8
12	A.2.9.3.9
13	A.2.9.3.10
14	A.2.9.3.11
15	A.2.9.3.12
16	A.2.9.3.13
17	A.2.9.3.14
18	A.2.9.3.15
19	A.2.9.3.16
20	A.2.9.3.17
21	A.2.9.3.18
22	A.2.9.3.19
23	A.2.9.3.20
24	A.2.9.3.21
25	A.2.9.3.22
26	A.2.9.3.23
27	A.2.9.3.24
28	A.2.9.3.25
29	A.2.9.3.26
30	A.2.9.3.27
31	A.2.9.3.28
31(a)	A.2.9.3.29
31(b)	A.2.9.3.30
31(c)	A.2.9.3.31
32	A.2.9.3.32
33	A.2.9.3.33
34	A.2.9.3.34
35	A.2.9.3.35
36	A.2.9.3.36
37	A.2.9.3.37
38	A.2.9.3.38
39	A.2.9.3.39
40	A.2.9.3.40

### legend



schedule B  
to the official plan  
for  
the city of hamilton

88 03 24



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Designate:

LAND LOCATED AT MUNICIPAL NO. 109 SMITH AVENUE

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of The Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 109 Smith Avenue and more particularly described in schedule "A" hereto annexed, is hereby designated as property of historic and architectural value and interest.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in schedule "B", to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
  - (i) to cause a copy of this by-law, together with reasons for the designation to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
  - (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton, for three consecutive weeks.

PASSED this

day of

A.D. 1988.

City Clerk

Mayor.



Schedule "A"

To

By-law No. 88-

109 Smith Avenue, Hamilton, Ontario

St. Paul's Ecumenical Church

(formerly St. Andrew's Presbyterian Church)

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and Province of Ontario, being composed of all of Lots 2, 3 and 8 according to Hannah Smith Survey registered as Plan Number 234 in the Registry Office for the Registry Division of Wentworth (No. 62) at Hamilton, together with the northerly 25 feet throughout from front to rear of Lot Number 9 according to the said Hannah Smith Survey registered Plan Number 234 in the Registry Office for the Registry Division of Wentworth at Hamilton (No. 62).

SUBJECT TO the right of the eaves of the house existing on the lands to the south being the southerly 24 feet throughout from front to rear of said Lot Number 9, Plan 234, to overhang 4 inches as at present on the property hereby conveyed.

Schedule "B"

To

By-law No. 88-

REASONS FOR DESIGNATION

ST. PAUL'S ECUMENICAL CHURCH  
(formerly St. Andrew's Presbyterian Church

109 Smith Avenue, Hamilton, Ontario

St. Paul's Ecumenical Church and the Lincoln Alexander Community Centre at the south-west corner of Smith Avenue and Barton Street East comprise the former St. Andrew's Presbyterian Church built in 1906 and its Sabbath School built in 1894. The church property was sold in 1984 to the Canadian Caribbean Christian Ecumenical Communion Inc.

The church itself, designed by Hamilton architects Stewart and Witton, is representative of the City's early twentieth century Presbyterian churches. Its relatively low profile, simple rectangular block form, medium-pitched roof, late Gothic Revival detailing, and entrance facade with a large Tudor arched traceried window and two projecting square towers are all typical features. The earlier Sabbath School building, possibly designed by W. A. Edwards (the architect for the first church building on this site in 1887), is a good example of the High Victorian Sunday school buildings erected in Hamilton during the 1880's and 1890's. The gable end of the characteristically steep-pitched roof frames an attractive upper storey arcade of pointed arched windows, with stone mouldings.

Of historical interest is the origin of St. Andrew's Presbyterian Church as the Wentworth Mission, built in 1850 near J. M. William's large railway locomotive plant on Wentworth Street to serve the workers who built their homes around the factory. The Wentworth Presbyterian Church was founded in 1885 and two years later a brick church was built on the present site. Renamed St. Andrew's Presbyterian Church in 1904, the church proper was rebuilt in 1906.

The new St. Andrew's Presbyterian Church was one of a number of churches built just after the turn-of-the century to meet the different denominational needs of the rapidly growing population of Hamilton's east end. The St. Andrew's church complex formed an integral component of the emerging Barton Street East business district and the existing residential neighbourhood to the south.

Important to the preservation of St. Paul's Ecumenical Church are the north, east and west facades of the church and the east facade of the Sunday school.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Adopt:

Official Plan Amendment No. 61

Respecting:

LAND LOCATED AT MUNICIPAL NO. 467 BEACH BOULEVARD  
(Bell Cairn Memorial School)

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 61 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

AMENDMENT NO. 61  
TO THE  
CITY OF HAMILTON OFFICIAL PLAN

The following text together with attached Schedules "A" and "B", attached hereto, constitute Official Plan Amendment No. 61.

PURPOSE

The purpose of this amendment is to redesignate the subject lands from "Open Space" to "Major Institutional" and to delete the subject lands from "Special Policy Area 10".

LOCATION

The lands affected by this Amendment are known municipally as 467 Beach Boulevard.

BASIS

The proposal is to establish a Public Education Centre with an accessory residential use, on a site formerly used as a public school. The basis for permitting the proposal is as follows:

- the proposed use is consistent with and similar in nature to the former school use; and,
- the proposed use is compatible with surrounding development.

ACTUAL CHANGES

1. Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Open Space" to "Major Institutional", as shown on the attached schedule "A" of this Amendment.
2. Schedule "B" - Special Policy Areas of the Official Plan be revised by deleting the subject lands from "Special Policy Area 10", as shown on the attached Schedule "B" of this Amendment.



IMPLEMENTATION

A Zoning By-law amendment will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 88-\_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 1988.

The Corporation of the  
City of Hamilton

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

CL-M:CS

to the  
official plan  
for the  
city of hamilton

legend

area to be changed from

"Open Space" to "Major Institutional"

date	drawn by	reference file no
AUG. 1988	G.O.	6-2-81

DEFERRED NO D-6  
UNDER SECTION 14(3) OF  
THE PLANNING ACT

Lake Ontario

Hamilton Harbour

Cootes  
Paradise



land use concept

legend

- major institutional
- commercial
- industrial
- open space
- urban agriculture
- major institutional
- utilities
- spring food area
- open space
- major institutional
- city boundary
- water boundary

Schedule A

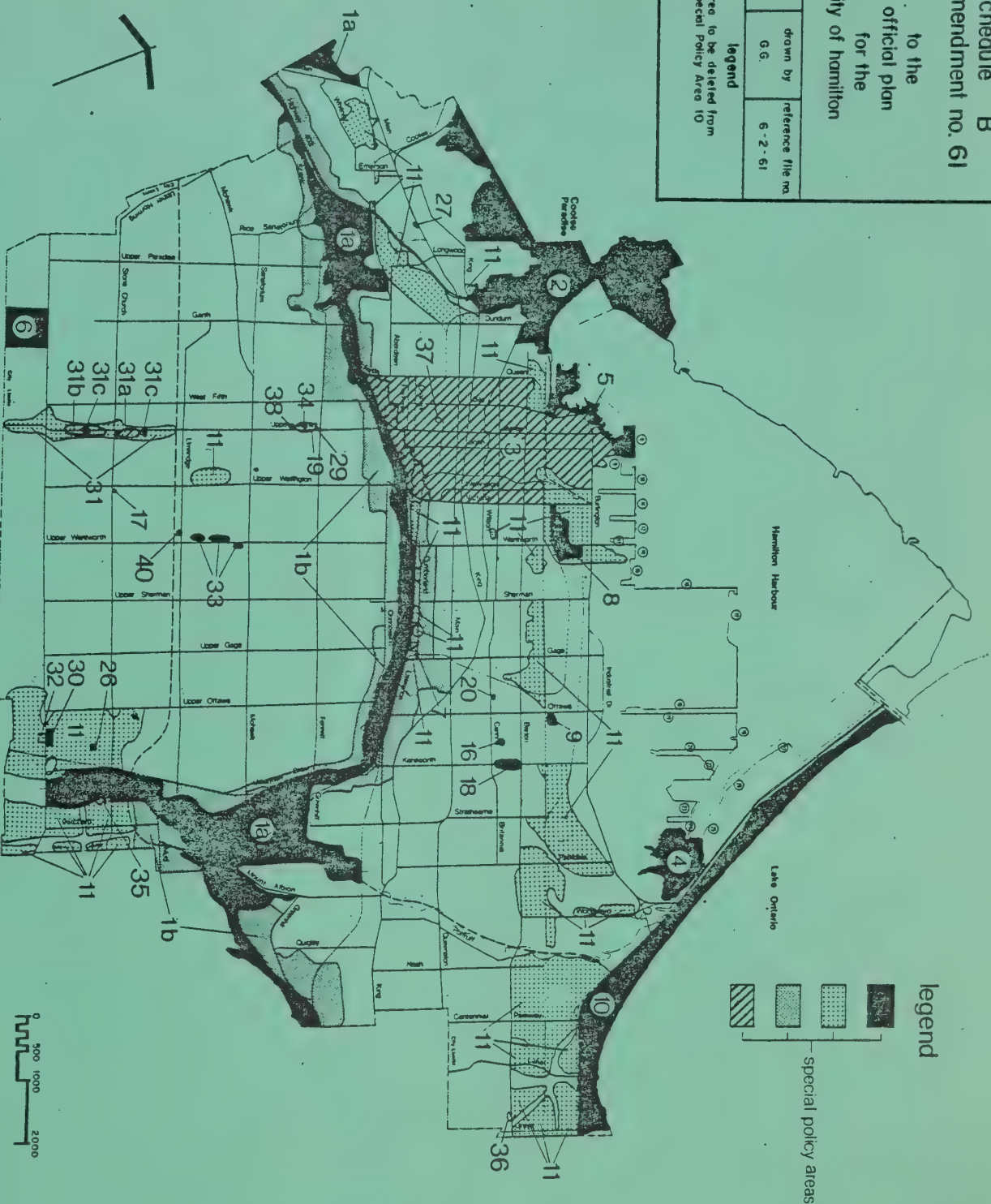
to the official plan  
for  
the city of hamilton

# schedule B amendment no. 61

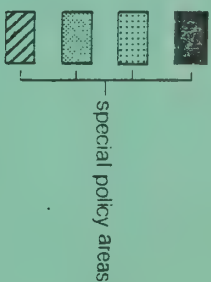
to the  
official plan  
for the  
city of hamilton

date	drawn by	reference file no.
AUG, 1986	G.G.	6-2-61

Area to be deleted from  
Special Policy Area 10



legend



## special policy areas

AREA	REFER TO POLICY
1(a)	A2.0.1.
1(b)	A2.0.1.
2	A2.0.2.
3	A2.0.3.
4	A2.0.3.1.
5	A2.0.3.2.
6	A2.0.3.3.
7	A2.0.3.4.
8	A2.0.3.5.
9	A2.0.3.6.
10	A2.0.3.7.
11	A2.0.3.8.
16	A2.0.3.14.
17	A2.0.3.15.
18	A2.0.3.16.
19	A2.0.3.17.
20	A2.0.3.18.
26	A2.0.3.21.
27	A2.0.3.22.
29	A2.0.3.24.
30	A2.0.3.25.
31	A2.0.3.26.
31(a)	A2.0.3.26.
31(b)	A2.0.3.26.
31(c)	A2.0.3.26.
32	A2.0.3.27.
33	A2.0.3.28.
34	A2.0.3.29.
35	A2.0.3.30.
36	A2.0.3.31.
37	A2.0.3.32.
38	A2.0.3.33.
40	A2.0.3.35.

schedule B  
to the official plan  
for  
the city of hamilton



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 12 LOTUS AVENUE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection (1)(iib) of Section 9 of By-law No. 6593, the following,

(i) RESIDENTIAL USE shall not be prohibited:

1. A residential care facility for the accommodation of not more than 10 residents;

(b) notwithstanding subsection (14) of Section 18A of By-law No. 6593, two parking spaces may be located in the front yard.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1020.

4. Sheet No. W-9 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1020.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of

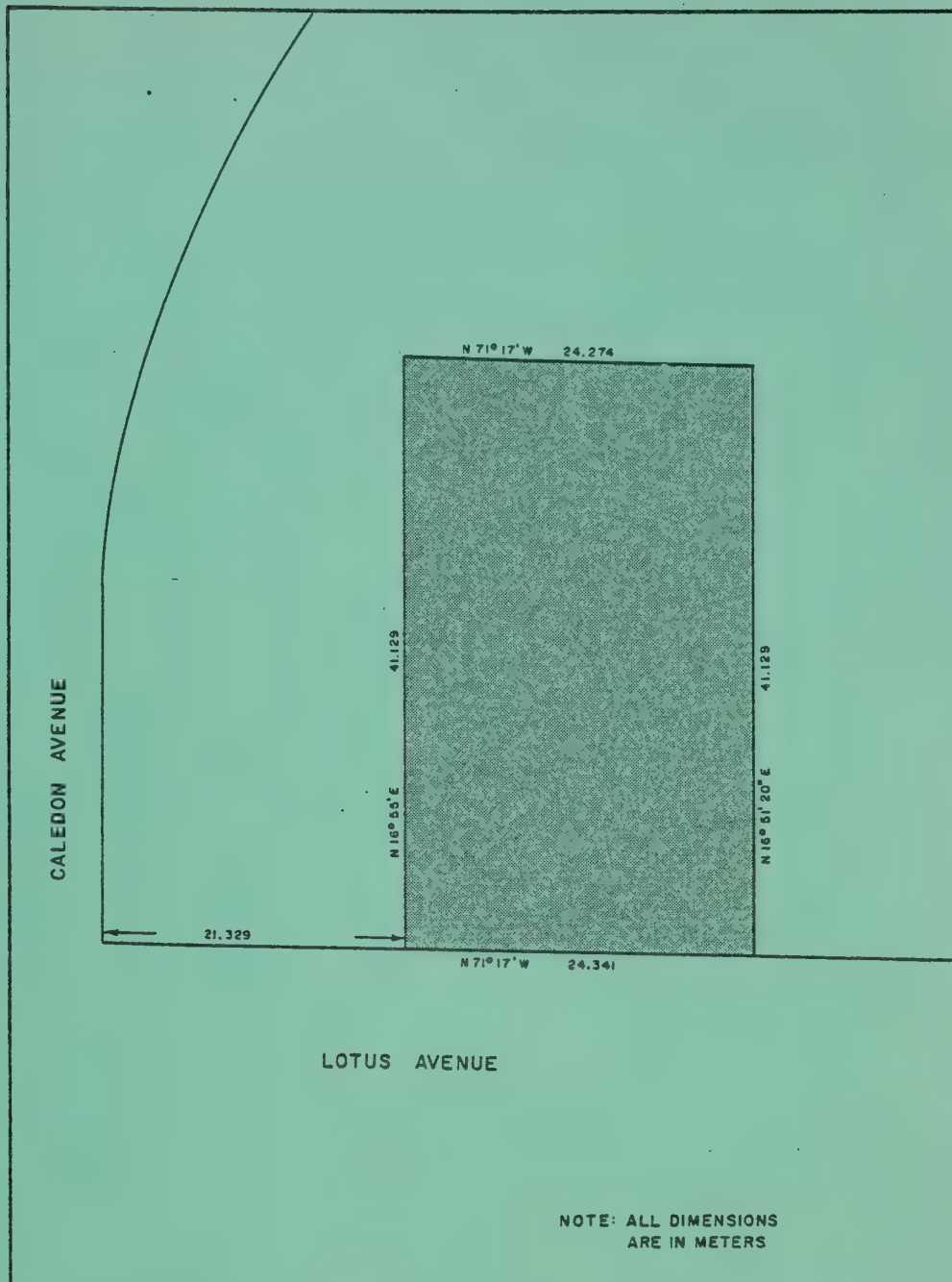
A.D. 1988.

City Clerk

Mayor

(1987) 8 R.P.D.C. 4, April 28  
(1988) 17 R.P.D.C. 6, August 30  
Mr. Vishwas Vasantrao Bagal, Owner  
ZA-87-18






THIS IS SCHEDULE "A" TO BY-LAW NO. 8 - \_\_\_\_\_  
 PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_


\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

CITY OF HAMILTON  
 SCHEDULE "A"  
 MAP FORMING PART OF  
 BY-LAW NO. 8 -  
 TO AMEND BY-LAW NO. 6593  
 Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend

 LANDS TO BE REGULATED BY BY-LAW NO. 8 -

North 	Scale NOT TO SCALE	Reference File No. ZA - 87 - 18
	Date MAY 6, 1987	Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 12 LOTUS AVENUE

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, [now section 40 of The Planning Act, 1983], established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

101. Land located at Municipal No. 12 Lotus Avenue, shown on Appendix 101 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275 as Appendix 101.

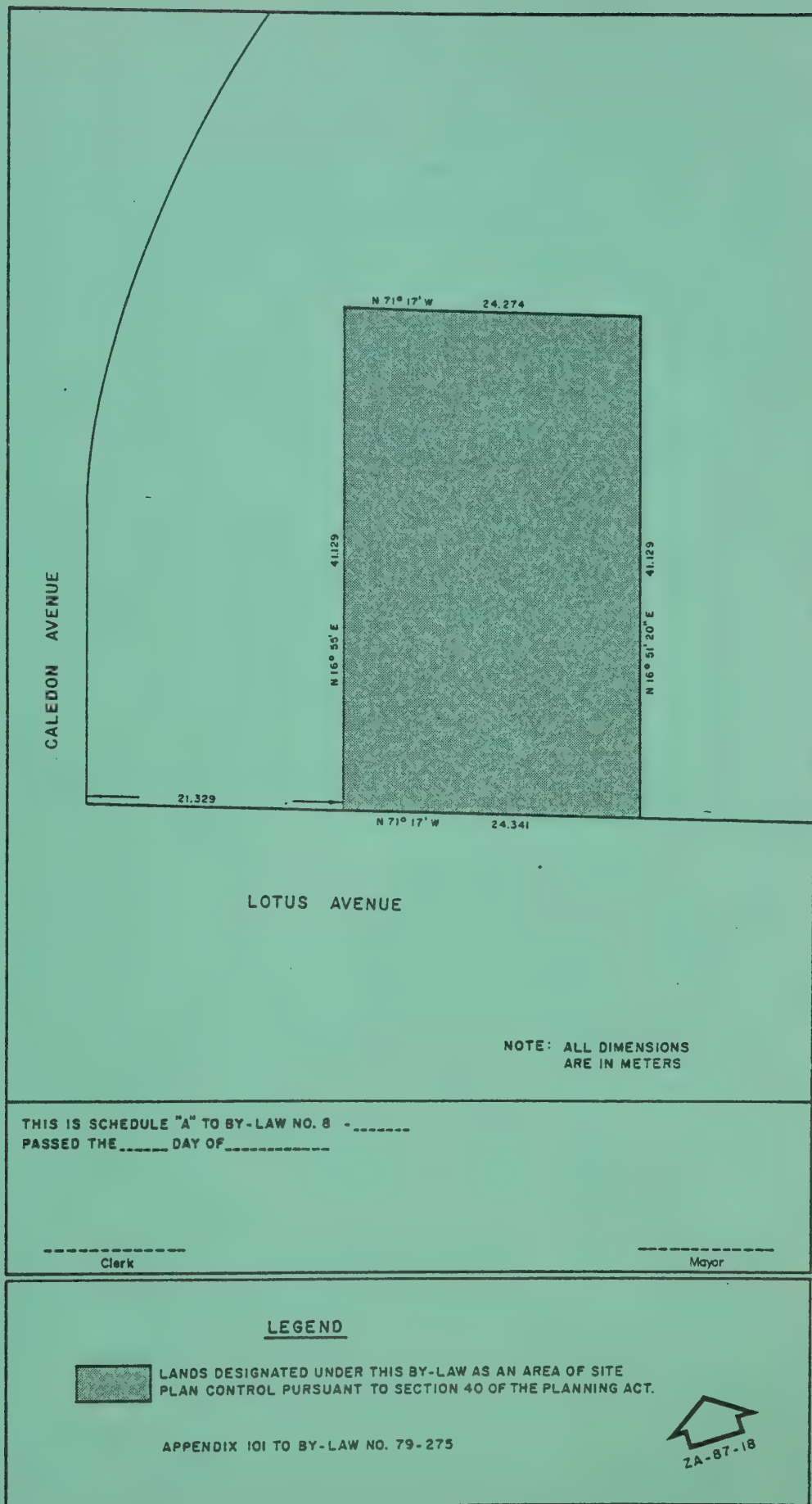
PASSED this

day of

A.D. 1988.

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 739 STONE CHURCH ROAD WEST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

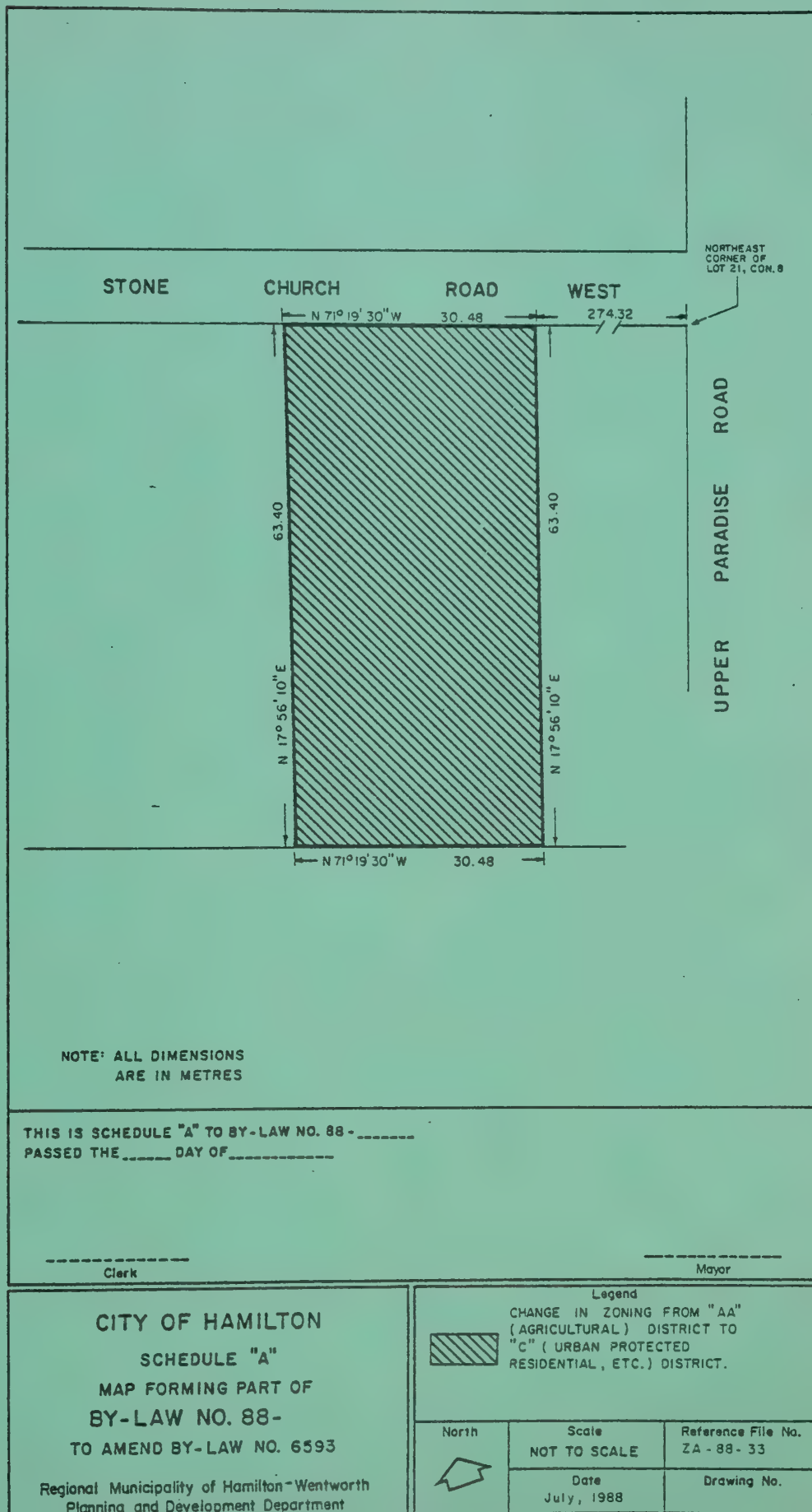
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this            day of            , A.D. 1988.

City Clerk

Mayor





The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 467 BEACH BOULEVARD  
(Bell Cairn Memorial School)

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 61, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by the Minister under the Planning Act at the time of the passing of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding section 9.(1)(iv) of By-law No. 6593, the following Public Use shall not be prohibited in the building existing on the day of the passing of this by-law, or in any expansion of said building:

1. A school, including a dormitory, for use as a Staff Education Facility by the Government of Ontario.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1088.

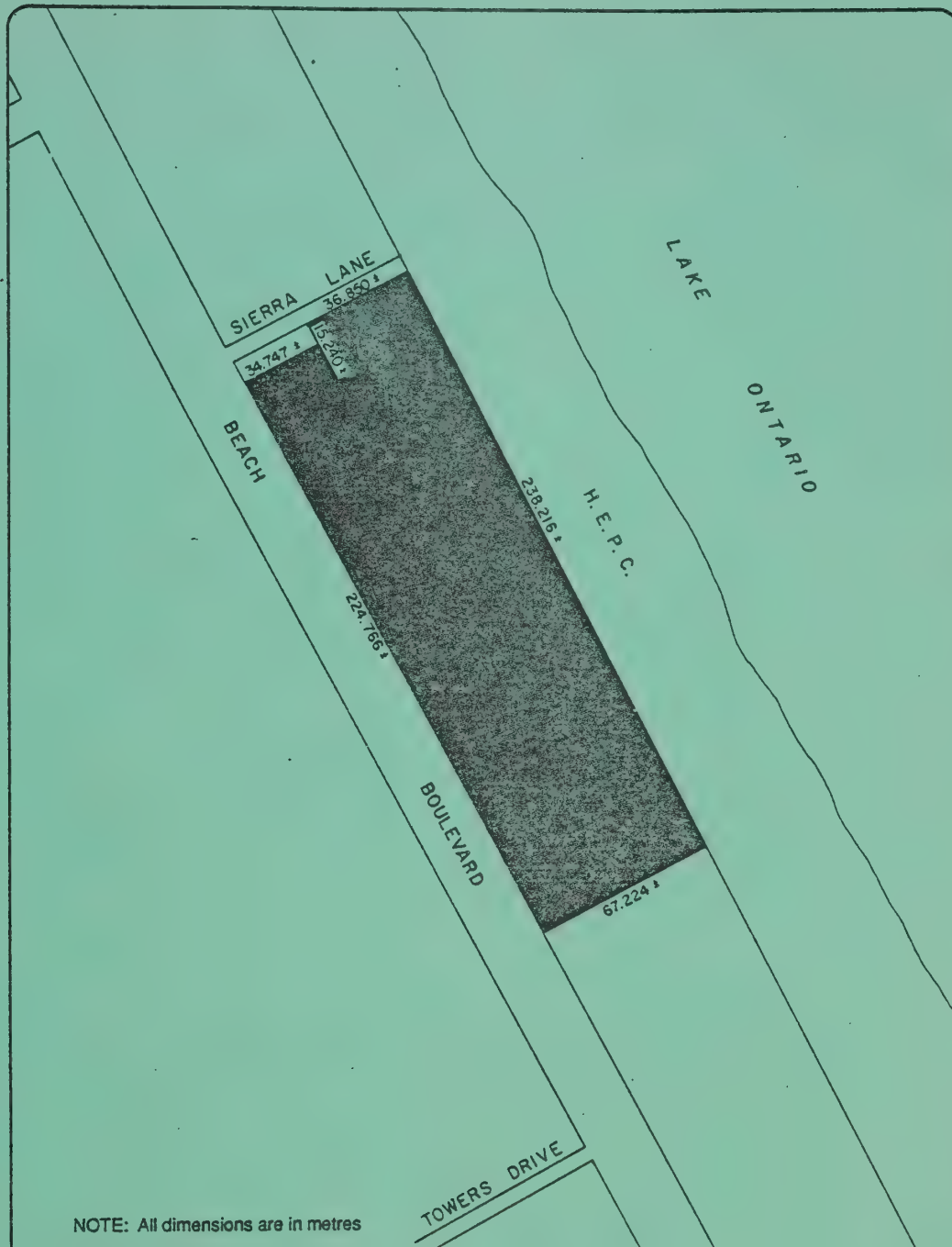
4. Sheet No. E-80D of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1088.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this            day of            , A.D. 1988.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 88-.....  
Passed the ..... day of ....., 1988.

.....  
Clerk

.....  
Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 88-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



Lands to be regulated by  
By-Law No. 88-

North



Scale  
NOT TO SCALE

Date  
August, 1988

Reference File No.  
C.I.88-H

Drawn By  
A.J.L.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 467 BEACH BOULEVARD  
(Bell Cairn Memorial School)

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, [now section 40 of The Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July, 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

113. Land located at Municipal No.  
467 Beach Boulevard, shown on  
Appendix 113 hereto annexed  
and forming part of this by-law.

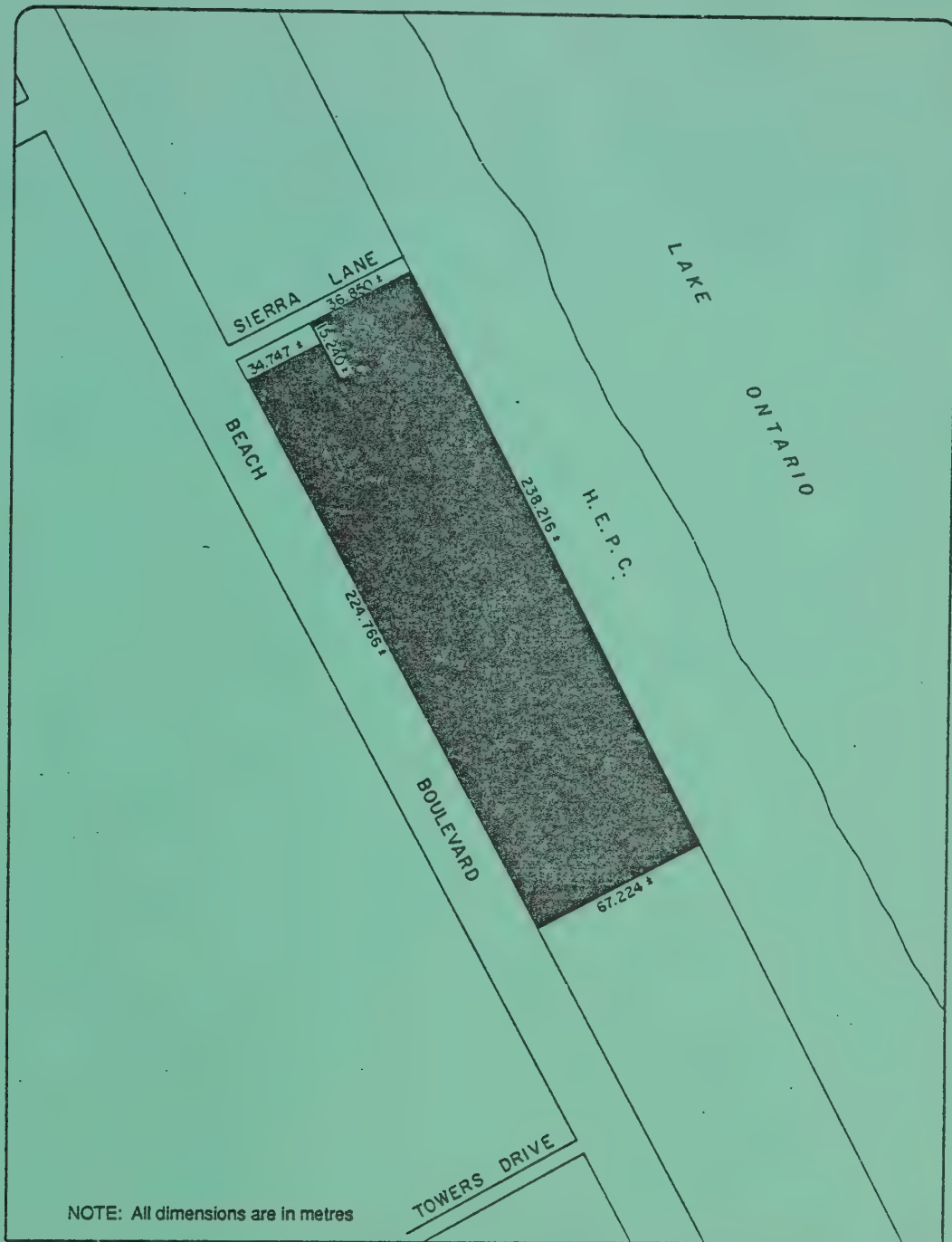
2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275 as Appendix 113.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor





This is Appendix 113 to By-Law No. 79-275 as amended by By-Law No. 87-223  
Passed the ..... day of ....., 1988.

.....  
Clerk

.....  
Mayor

City of Hamilton  
**Appendix 113**  
to By-Law No. 79-275

as Amended by  
By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Lands Designated Under this By-Law  
as an area of Site Plan Control pursuant  
to Section 40 of the Planning Act.

North



Scale  
NOT TO SCALE

Reference File No.  
C.I.88-H

Date  
August 1988

Drawn By  
A.J.L.



E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



URBAN MUNICIPAL  
GOVERNMENT DOCUMENTS  
CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1988 September 27  
7:30 o'clock p.m.  
Council Chambers, City Hall

JT:mjw

### A G E N D A

1. Opening Prayer

Father Michael Rolph  
St. Mary's Anglican Church  
1831 King Street East

2. Presentations

Presentation to Employees with 35 years service

Hamilton Redbirds Baseball Club

Mr. Bud Hubbard, President, Hamilton Farmers' Market  
Stallholders Association

Recognition - Participants in Ontario Senior Games

Civic Awards - Sherwood Centre Bantam Boys Team, Youth Bowling Council

- Miss L. Shultis and Mr. G. Bianchin  
Artistic Roller Skating Championships

- Ms. S. Stewart, World Surf Rescue Championships

3. Proclamations

Arthritis Society







4. Minutes

1988 August 30

5. Correspondence

6. Reports of the Standing Committees - attached

- (a) Executive Committee
- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (e) Legislation Committee
- (f) Personnel Committee
- (g) Finance Committee

7. Notice of Motion from Last Meeting

Alderman D. Ross

8. Notice of Motion for Next Meeting

9. First Reading of the Bills

10. Second Reading of the Bills - Committee of the Whole

11. Third Reading of the Bills

12. Question Period

13. Adjournment



M I N U T E S





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, AUGUST 30, 1988  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler, Smith, Cowell,  
Gallagher, Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

Reverend Bruce A. Woods, Stanley Avenue Baptist Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow presented a civic award to Mr. Dave Custeau in recognition of his winning the Provincial Junior Ten Pin Bowling Championship.

His Worship Mayor Robert M. Morrow read the following proclamations:

- (i) Ceramic Arts Month - September 1988.
- (ii) World Flower Bulb Week - September 17 - September 24, 1988.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Copy of the 5th Copps Chair Occasional Report, Commercial Shipping and Hamilton Harbour.
2. Copy of the 75th Annual Report of the Hamilton Harbour Commissioners.
3. Letter from Woolley, Dale & Dingwall, Barristers & Solicitors, Toronto-Dominion Centre, Toronto, Ontario, re Dan Management Limited on Behalf of 645437 Ontario Limited - Application for Amendments to Official Plan and Zoning By-law - Proposed Restaurant and Tavern at 986-998 Upper Wentworth Street, dated August 4, 1988.
4. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law No. 88-161, dated August 8, 1988. NO ACTION TAKEN.
5. Application from Victoria Adomako, 449 Southcote Road, Ancaster, Ontario, for a change in zoning, property located at 581 and 583 King Street West, dated July 28, 1988.
6. Application from Wellington Chase Inc., 100 Main Street East, MPO Box 1069, Hamilton, Ontario, for a modification to the zoning, property located on the east side of Upper Wellington Street, south of Stone Church Road East, dated July 28, 1988.
7. Application from Robert and Joyce Smith, 1375 Upper James Street, Hamilton, Ontario, for a change in zoning, property located at 1375 Upper James Street, dated August 5, 1988.

8. Application from A.M.D. Investments Limited, 7123 Fir Tree Drive, Mississauga, Ontario, for a change in zoning, property located at 4 Centennial Parkway South, dated July 28, 1988.
9. Application from Dynacare Health Group Inc., (Mr. Albert Latner, Director & President), 1600-20 Eglinton Ave. West, Toronto, Ontario, for a modification to the zoning, property located at 85 Robinson Street, dated August 10, 1988.
10. Letter from Mr. Nicholas J. Corrado, Corrado Planning and Development Services, 540 Concession Street, Suite 207, Hamilton, Ontario, re Zoning Application ZA-88-41 - large scale multiple-housing development on Garth Street, dated August 25, 1988.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Agostino in the chair.

\* \* \* \* \*

(A) EXECUTIVE COMMITTEE - SIXTEENTH REPORT.

\* \* \* \* \*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT.

Recorded vote on Section 20.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

The recommendation of the Executive Committee on Sections 21, 22, 23, 24, 25, 26, 27 and 28, was carried.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Section 29 be amended by deleting Subsection (a) reading as follows:

"(a) The City of Hamilton has no objection to the proposed work being carried out, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of

Hamilton and Regional By-laws are complied with fully; and"

and replacing it with the following:

"(a) That the City of Hamilton has no objection to the proposed work by PPM Canada Inc., to carry out PCB decontamination at the Columbian Chemicals facility located at 755 Parkdale Avenue North in Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-laws are complied with fully." - CARRIED.

\* \* \* \* \*

Recorded vote on Section 29, as amended.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Murray:

RESOLVED: that Section 30, reading as follows:

"30. That the Amended Resolution contained in Section 61 of the 10th Report for 1988 of the Transport and Environment Committee approved by City Council on 1988 June 28 be reconfirmed.

NOTE: This resolution reads as follows:

'That the Sale of Gosford Drive be delayed until the Freeway Steering Committee has an opportunity at its next meeting to investigate and report back to the Transport and Environment Committee with a recommendation which would accommodate the re-opening of Gosford Drive to Gilchrist in the Gurnett Neighbourhood.'

be deleted in its entirety and replaced with the following:

- "30. (a) That Item 30 of the FOURTEENTH Report of the Transport and Environment Committee, approved by City Council 1986 July 22, be rescinded,
- (b) That the City Solicitor be directed to prepare a By-law for the laying out of Gosford Drive, from Gilcrest Street to Upper Paradise Road, pursuant to the Municipal Act, R.S.O. 1980,
- (c) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of City Council's intention to pass the By-law,
- (d) That the Commissioner of Engineering be directed to construct road, curb and sidewalk on Gosford Drive at an estimated cost of \$90,000. following approval of the By-law,
- (e) That the Executive Committee be requested to recommend the method of financing." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman Ross.

RESOLVED: that Section 32 be amended by deleting everything after the word "of" in the last line, reading as follows:

"the retaining wall abutting the above noted property",

and inserting in lieu thereof the following:

"a concrete retaining wall on the above noted private property, at a cost not to exceed \$9,600." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Wheeler.

RESOLVED: that Section 46 be amended by deleting the section in its entirety, reading as follows:

"46. That a three way stop control be implemented at the intersection of Lake Avenue and Delawana Drive, providing that the road does not allow for a 4-lane traffic and is less than 40 feet in width.

NOTE: For the information of the members of City Council, measurements of this road were taken at six locations by the Traffic Department on Tuesday, 1988 August 23rd. The minimum width was measured at 43 feet."



and inserting the following in lieu thereof:

"46. (a) That a three way stop control be implemented at the intersection of Lake Avenue and Delawana Drive.

(b) That City Traffic By-law 66-100 be amended accordingly." - CARRIED.

\* \* \* \* \*

Recorded vote on Section 47.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Valeriano, Copps, Agostino. - 6.

NAYS: Aldermen Cooke, McCulloch, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 11. LOST.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT.

The recommendation of the Executive Committee on Subsections (b) and (c) was carried.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - SEVENTEENTH REPORT.

It was moved by Alderman Smith and seconded by Alderman Wheeler.

RESOLVED: that Subsection (c) of Section 2, reading as follows:

"(c) That the hiring of one building inspector to perform the inspections required under the Proposed New Second Level Lodging House By-law BE APPROVED, but that the filling of the position be held until such time as the By-law becomes effective.",

be withdrawn. - CARRIED.

\* \* \* \* \*

Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Christopherson, Agostino, Murray, Ross. - 10.

NAYS: Aldermen Copps, Wheeler, Smith. - 3. CARRIED.

\* \* \* \* \*

It was moved by AldermanCooke and seconded by Alderman Ross.

RESOLVED: that Section 17 be amended by deleting everything after the word "DENIED" in the second line, reading as follows:

"since it may reduce the supply of affordable rental housing.",

and by deleting the word "DENIED" and replacing it with the word "APPROVED." -

YEAS: Aldermen Cooke, Agro, McCulloch, Cowell, Gallagher, Murray, Ross. - 7.

NAYS: Mayor Morrow; Aldermen Kiss, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith. - 9. LOST.

\* \* \* \* \*

Recorded vote on Section 17.

YEAS: Mayor Morrow; Aldermen Kiss, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Murray, Ross. - 11.

NAYS: Aldermen Cooke, Agro, McCulloch, Cowell, Gallagher. - 5. CARRIED.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - EIGHTEENTH REPORT.

\* \* \* \* \*

(F) PERSONNEL COMMITTEE - TENTH REPORT.

Alderman Wm. McCulloch declared personal interest in, took no part in the debate, and refrained from voting on Section 2 as he served in the Armed Forces.

\* \* \* \* \*

(G) FINANCE COMMITTEE - THIRTEENTH REPORT.

\* \* \* \* \*

(H) INFORMATION SYSTEMS COMMITTEE - FOURTH REPORT.

\* \* \* \* \*

(I) SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT -  
FIRST REPORT.

\* \* \* \* \*

NOTICES OF MOTION

It was moved by Alderman Agostino and seconded by Alderman Copps.

RESOLVED: that the City of Hamilton request the Federal Government to enact legislation in order to require Cable Companies to appear before the C.R.T.C. to justify and seek approval for any rate increases exceeding 4%. -

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Merling.

RESOLVED: that the motion put by Alderman Agostino, relative to rate increases for Cable Companies, be referred to the Legislation Committee, and that the Legislation Committee be directed to obtain all available information as to whether or not the Cable Companies fall under the jurisdiction of the C.R.T.C. with respect to rate increases. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman Copps.

RESOLVED: a) That, in keeping with the strong Committee system, and on the basis that each Ward be represented on all Standing Committees, the Finance Committee assume all of the duties and responsibilities of the Executive Committee.

b) That the Mayor, by virtue of his office, be Chairman of the Finance Committee.

c) That the Vice-Chairman of the Finance Committee be appointed by City Council.

d) That this change be effective December 1988.

e) That the City of Hamilton Procedural By-law 82-203 be amended to reflect this change. -

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman Ross.

RESOLVED: that the Notice of Motion of Alderman Agro, respecting the transfer of the Executive Committee's duties to the Finance Committee, be referred to the Legislation Committee for study. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Copps.

RESOLVED: that Section 9 of the EIGHTH Report of the Legislation Committee, which was tabled by City Council at its meeting held on Tuesday, June 28, 1988, reading as follows:

"9. That the following resolution from Operation Dismantle (Inc.) against nuclear submarines, be received.

'WHEREAS:

Nuclear attack submarines can neither prevent nuclear war nor protect Canada in the event of one; and

Canadian nuclear attack submarines could be seen as destabilizing or provocative, especially if used as part of the US strategy of challenging Soviet vessels in their home waters; and

Acquiring nuclear submarines calls into question Canada's adherence to the Nuclear Non-Proliferation Treaty; and that

The cost of acquiring nuclear submarines competes directly with Federal Government funding for municipalities and other needed programmes;

THEREFORE BE IT RESOLVED

that the Corporation of the City of Hamilton calls upon Canada's Federal Government to cancel the nuclear submarine acquisition programme and examine more cost-effective and safe methods of assuring Canadian and international security.'" -

be lifted from the table. - CARRIED, UNANIMOUSLY.

\* \* \* \* \*



It was moved by Alderman Murray and seconded by Alderman Ross.

RESOLVED: that Section 9 of the EIGHTH Report of the Legislation Committee be referred back. -

YEAS: Mayor Morrow; Aldermen Kiss, Copps. - 3.

NAYS: Aldermen Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 13. LOST.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Valeriano.

RESOLVED: that Section 9 of the EIGHTH Report of the Legislation Committee be adopted. -

YEAS: Aldermen Kiss, Agro, Valeriano, Hinkley, Copps, Christopherson, Agostino. - 7.

NAYS: Mayor Morrow; Aldermen McCulloch, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 9. LOST.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro.

RESOLVED: that Alderman Wheeler be appointed Acting Mayor for the month of September, 1988. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Gallagher, Murray, Ross. - 14.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-19,  
B-65, B-66, B-67,  
C-3,  
D-70, D-93, D-94, D-95, D-96, D-97, D-98, D-99, D-100,  
D-101, D-102, D-103, D-104, D-105 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Agostino in the chair.

A-19,  
B-65, B-66, B-67,  
C-3,  
D-70, D-93, D-94, D-95, D-96, D-97, D-98, D-99, D-100,  
D-101, D-102, D-103, D-104, D-105.

\*\*\*\*\*

Consideration of the Bills (second reading).

\*\*\*\*\*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-19,  
B-65, B-66, B-67,  
C-3,  
D-70, D-93, D-94, D-95, D-96, D-97, D-98, D-99, D-100,  
D-101, D-102, D-103, D-104, D-105.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Copps, Christopherson, Agostino, Wheeler, Smith, Murray, Ross. - 12.

NAYS: 0 - CARRIED.

\*\*\*\*\*

#### NOTICE OF MOTION

Alderman Ross gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that a letter be sent to the Minister of Housing informing her that the City of Hamilton would like clarification on the announcement made by the Minister re the 25%affordable housing, and said letter to include the following:

1. What is the Minister's definition of affordable housing?
2. Who is going to administer the legislation?
3. Who is going to pay for the implementation of the legislation?
4. What does 25% of all new housing mean?
5. What input, if any, will the municipalities have in regards this legislation prior to having it passed into Law?

6. What did the Minister mean when she said that funds (what funds) would be withheld from any municipality that did not comply with the legislation?

\* \* \* \* \*

CITY COUNCIL ADJOURNED AT 11:00 O'CLOCK, P.M.

\* \* \* \* \*









## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Executive Committee presents its SEVENTEENTH Report for 1988 and respectfully recommends:

1. (a) That the Council of the Corporation of the City of Hamilton endorse the application of the 1991 Labatt Brier Hamilton Bid Committee to hold the 1991 Labatt Brier in Hamilton.
- (b) That subject to the Canadian Curling Association awarding the 1991 Labatt Brier to Hamilton;
  - (i) the City Treasurer be authorized and directed to arrange for a letter of credit or guarantee in the amount of \$50 000 to the Canadian Curling Association and/or the Brier Corporation, as a performance bond;
  - (ii) that a \$100 000 interest free loan be made to the Brier Corporation which will be established to conduct the event.
  - (iii) that a grant of \$20 000 be made to the Brier Corporation to cover the cost associated with the attendance of key Organizing Committee and civic personnel at the 1989 Brier to be held in Saskatoon, Saskatchewan, and the 1990 Brier to be held in Sault Ste. Marie, Ontario.
- (c) That an amount of \$170 000 be provided from the Reserve for Contingency, Account No. 0280-32 to finance the interest free loan of \$100 000, the grant of \$20 000, and the letter of credit/guarantee of \$50 000.
- (d) That a form of agreement satisfactory to the City Solicitor and City Treasurer be entered into between the City and the proposed Brier Corporation to provide for the advancement and repayment of these funds.
- (e) That a Member of City Council and a member of the civic administration be appointed to the Brier Corporation to provide for, among other things, the liaison between the Corporation and the City.

NOTE: For the information of the Members of Council the bid process (September 1 to December 30, 1988) involves the preparation of a bid book and a site visit by members of the Canadian Curling Association. The total estimated cost involved in this process is \$13 000 and will be financed by HECFI and the Visitor/Convention Service Division of the Economic Development Department.

The Canadian Curling Association will announce the successful bid in early December 1988, following which the City's interest free loan of \$100 000 and the letter of credit/guarantee in the amount of \$50 000 will be required. Advancement of the \$20 000 grant (\$5 000 in March 1989 for the Saskatoon, Saskatchewan Brier, and \$5 000 in March 1990 for the Sault Ste. Marie, Ontario Brier) will be required prior to each event.

2. (a) That approval be given for the Hamilton Public Library Board to purchase fifteen (15) wands for the automated circulation system at a maximum cost of \$20 000 as provided for in the 1988 portion of the 1988-1992 Capital Budget, and that same be funded from the Reserve for Library Capital Projects.
- (b) That contingent upon the Hamilton Public Library Board receiving \$20 000 in funding from the Ministry of Culture and Communications, a further \$20 000 be made available from the Reserve for Library Capital Projects for the purchase of furnishings and equipment for office computerization and audio/visual equipment at a maximum project cost of \$40 000.

NOTE: The Library Board approved this project at its meeting on September 19, 1988.

3. That approval be given for the Hamilton Public Library Board to purchase the property at 201 Herkimer Street at a maximum purchase price of \$175 000, plus associated costs for the purpose of operating an employer/employee sponsored daycare, and that same be financed from the Library Board's Endowment Fund.

NOTE: For the information of the Members of City Council, the daycare centre will be operated by an incorporated daycare board, regulated by Provincial Guidelines. The property will be leased to the daycare board and the Library Board will receive sufficient rental fees to cover taxes and to maintain a reserve fund for the purpose of maintaining the property in good order.

The Library Board is confident that a daycare board can be established and that a daycare centre can be operated on a cost recovery basis to meet the needs of the Library employees.

The Library Board approved this project at its meeting on August 23, 1988.



4. That the restoration covenant in the sale of the former Bank of Montreal property at Main Street West and James Street South between the City and 52 James Street South Limited, be amended by granting the new owner an extension of six (6) months, (from December 8, 1988, to June 8, 1989) within which to complete the restoration work on the Bank Building and that the new owner enter into an agreement to amend this covenant in a form satisfactory to the City Solicitor.
5. (a) That the replacement of the Traffic Operations Centre as provided for in the 1988 portion of the 1988-1992 Capital Budget at a gross cost of \$6 830 000 of which \$2 390 000 is to be funded by the City of Hamilton and \$ 4 440 000 to be funded by the Region, be proceeded with at this time.
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to finance the construction of a new Traffic Operations Building at an estimated cost of \$6 830 000, with the Regional Municipality of Hamilton-Wentworth's share of \$4 440 000 and the City's share being the remainder of \$2 390 000 with no eligible subsidies, by the issuance of debentures in the amount of \$2 390 000 for a period not to exceed 15 years, recoverable from the mill rate levied on all rateable property, and further, that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$2 390 000 for a term not to exceed 15 years.
- (c) That the City owned land containing 8 acres located along the eastern limit of Upper Ottawa Street, just south of the entrance to the former Upper Ottawa Street Landfill Site be designated as the location of the new Traffic Operations Centre, subject to soil tests (structural, chemical and gas analysis) revealing that the land is suitable for the use intended.
- (d) That the Director of Property be authorized to retain soils consultants to conduct a geotechnical investigation of the City owned land at an estimated cost of \$30 000.
- (e) That the Director of Property be authorized to call for proposals for the design of the new Traffic Operations Centre once the soil tests are completed and the site is determined to be satisfactory for the intended use. The cost for architectural services is estimated to be \$300 000.
- (f) That the estimated costs of \$30 000 for soil tests and \$300 000 for architectural services be financed on a temporary basis from the Reserve for Capital Projects, Account No. 0280-27, until such time as the Ontario Municipal Board approval has been received.

- (g) That in recognition of the financial participation of the Region in the project, and in view of the fact that ownership of the improved property will rest with the City, in the event the City ceases to use the building as a Traffic Operations Centre, the City will compensate the Region for its proportionate share of the original investment in the building applied to the appraised value of the building, exclusive of land, at that time.

NOTE: This project was approved by the Transport and Environment Committee at its meeting on September 19, 1988. The Committee further wishes to advise that the Region has previously agreed to share the cost on a 65/35 percent basis and has already applied to the Ontario Municipal Board for debenturing approval of their share of the total costs.

6. That the estimated cost of \$90 000 to construct a road, curb and sidewalk on Gosford Drive, as approved by City Council August 30, 1988, in adopting Item 30 of the Twelfth Report of the Transport and Environment Committee, be financed from the Reserve for Capital Projects, Account No. 0280-27.

7. That the construction of the Conservation Lab in the gross amount of \$220 000 be financed from the 1988 Capital Levy, Account No. 0376-0298.

NOTE: With the adoption of Section 1 of the First Report of the Hamilton-Scourge Committee, City Council at its meeting held August 30, 1988, approved this project which is included in the 1988 portion of the 1988-1990 Capital Budget and requested the Executive Committee to recommend the method of financing.

8. That the Capital Project "Repair of the Hamilton Place Roof" at an estimated cost of \$349 000 as provided for in the 1988-1992 Capital Budget, be proceeded with at this time and be financed from the HECFI Reserve Account No. 0280-48.

NOTE: This Capital Project was approved by the HECFI Board at its meeting on September 16, 1988.

9. That the timetable for the preparation and review of the 1989-1993 Capital Budget be as follows:

(a) Notify departments/boards to prepare their Capital Budget material (this was done September 9, 1988).

(b) Month of October - departments/boards arrange to have proposed Capital Projects approved by Standing Committees for forwarding to Executive Committee for consideration to include in Capital Budget.

- (c) October 21, 1988 - deadline for returning copies of "Individual Capital Budget Submission" forms to Treasury in order to prepare preliminary Capital Budget.
- (d) November and December, 1988 - Treasury monitors and assembles preliminary Capital Budget, prepares financial impacts, etc.
- (e) Month of January, 1989 - new Standing Committees confirm projects approved by former Standing Committees to go forward to Executive Committee.
- (f) Month of February, 1989 - Executive Committee reviews individual Capital Projects with departments/boards during regularly scheduled meetings or if necessary at additional special meetings.
- (g) March 9, 1989 - Executive Committee recommends 1989-1993 Capital Budget to City Council.
- (h) March 14, 1989 - City Council considers approval of the 1989-1993 Capital Budget.

10. Attached for the information of the Members of City Council as Schedule "A" is a copy of a Summary of Capital Projects in Progress as at August 31, 1988.

NOTE: Detailed reports relative to the specific projects are available from the Secretary, Executive Committee or the City Treasurer.

11. (a) That the Corporation of the City of Hamilton endorse the SCOUR (Students Cleaning Our Rivers) Program.
- (b) That a copy of this resolution be forwarded to the Minister of the Environment, the area MPP's and the Association of Municipalities of Ontario.

NOTE: SCOUR is a summer-long environmental cleanup project funded by the Environmental Youth Corps in co-operation with the Ministry of the Environment and regional conservation authorities. The programs main goal is the improve the quality of our waterways. University and senior level high school students also gain practical experience that can contribute to their further studies in environmental-related disciplines.

Approximately 30,111 kg. of debris - ranging from styrofoam cups to shopping carts and car parts - were collected from 44.25 km. of rivers and streams in the West Central Region this summer. Approximately 7,000 kg., the majority of which was scrap metal, was recycled.

The Keep Hamilton Clean Committee at its meeting on September 12, 1988, recommended that the City and Province be encouraged to endorse the continuation and expansion of this program.

12. That leave be granted to introduce the following Bill:

(a) Bill A-20:       A By-law to Confirm the Proceedings of the Council of  
the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary  
1988 September 22  
att.  
/bc



City of Hamilton  
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)  
as at August 31, 1988

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Budget (9)
		Start (3)	Finish (4)				Construction (8)	Yes or No	
(1-50)	General Administration								
1	Energy Conservation Program - 1983	07/83	12/88 *	200	195	5	Yes	Yes	Yes
2	Ceramic Belting Replacement and Window Repair - City Hall	01/85	06/89 *	40		40	No	No	No
3	Energy Conservation Projects - City Hall	06/84	12/89 *	730	507	223	Yes	Yes	Yes
9	Treasury Department Computer Program - Data Base and Fourth Generation Language	09/86	12/89	400	64	336	Yes	Yes	Yes
10	Handicapped Access to Recreational Buildings	09/86	06/89 *	100	5	95	Yes	Yes	Yes
11	Energy Conservation Projects	05/86	12/88	50		50	Yes	Yes	Yes
12	Construction Costs/Accommodation Requirements - Aldermen's Offices	06/86	12/88	705	687	18	Yes	Yes	Yes
13	Construction Costs/Accommodation Requirements - City Hall	07/86	12/88	88	44	44	Yes	Yes	Yes
17	Treasury Department - Computer Software	08/87	12/88	100	70	30	Yes	Yes	Yes
19	City Hall Computer Workstation Furniture	08/87	12/88	92	89	3	Yes	Yes	Yes
21	Major Maintenance to Civic Buildings	11/87	12/88	250	129	121	Yes	Yes	Yes
22	Construction Costs - Accommodations - City Hall	11/87	12/88	479	411	68	Yes	Yes	Yes
23	Blue Boxes for Recycling Materials	08/87	12/88	632	478	153	Yes	Yes	Yes
25	Computer Software - Database		12/88	150					
26	Computer Software		12/92	850					
27	Computer Environment Improvements		12/88	350					
28	Construction Costs for Accommodation Requirements - City Hall		12/90	225					
29	Energy Conservation Projects		12/88	100					
30	Major Maintenance to Civic Buildings	09/88	12/89	250		250	Yes	Yes	Yes

Schedule "A" referred to in Section 10 of the SEVENTEENTH Report of the Executive Committee for 1988.

City of Hamilton  
Treasury

**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**

as at August 31, 1988 (000's)									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		
		Start (3)	Finish (4)				Construction (8)	Yes or No (9)	
<u>(51-100) Protection to Persons &amp; Property</u>									
52	Fire Stn. E. Mountain - Limeridge Rd. & Upper Ottawa St./Construction	05/87	10/88 *	960	957	3	Yes	Yes	Yes
53	Fire Stn. E. Mountain, Limeridge Rd. & Upper Ottawa - Vehicle Purchase	06/86	10/88 *	275	258	17	Yes	Yes	Yes
55	Fire Stn. Stonechurch & Upper Wellington - Vehicle Purchase	06/88	12/90	300		300	Yes	Yes	Yes
<u>(101-150) Department of Engineering</u>									
102	Land Acquisition - Fessenden & Gurnett Neighbourhoods	1986	12/88	535	286	249	Yes	Yes	Yes
103	Road Access - Riverdale East Neighbourhood	08/86	12/89	377	55	322	Yes	Yes	Yes
103A	Road Access - Riverdale East Neighbourhood - Increased Costs		12/89	68		247	Yes	Yes	Yes
105	Windermere Basin - Clean Up	11/87	04/89	750	503	155	Yes	Yes	Yes
108	High Level Bridge Street Lighting	11/87	10/88 *	155		6524	Yes	Yes	Yes
109	1988 Reconstruction Program	01/88	12/89	7,695	1171		Yes	Yes	Yes
110	Replacement of Traffic Operations Centre	09/88	12/90	6,830			No	Yes	Yes
111	Greenhill Ave. Construction of Finished Roadway, Curbs & Sidewalks	08/88	12/89	860		860	Yes	Yes	Yes
112	Storm Drainage Projects		12/91	180					
<u>(201-250) Parking Authority</u>									
201	Victor K. Copps Trade Centre/Arena Parking Facilities	02/84	Unknown	1,700	1,431	269	No	Yes	Yes
202	Victor K. Copps Trade Centre/Arena Parking Facilities Additional Costs	09/85	Unknown	590	263	327	No	Yes	Yes
206	Reconstruction of Existing Parking Facilities	05/88	12/88	100	57	43	Yes	Yes	Yes

City of Hamilton  
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**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**

as at August 31, 1988 (000's)									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		
		Start (3)	Finish (4)				Construction (8)	Yes or No Budget (9)	
<b>(201-250) Parking Authority-Ctd.</b>									
208	Parking Facility - Southeast Quadrant		12/88	800			<div>No</div>	Yes	
209	Land Acquisition & Development		12/88	200			<div>No</div>	Yes	
<b>(251-300) Department of Public Works</b>									
254	Replacement of James Street Steps	05/86	12/88	300	255	45	Yes	Yes	
256	Centralized Computer Fuel System	05/86	12/88	300	249	51	Yes	Yes	
257	Water Course Drop Structure - West of 350 Quigley Road	05/86	08/88	100	69	31	Yes	Yes	
259	Construction of New Mountain Public Works Yard	07/87	06/89	2,400	202	2,198	Yes	Yes	
262	Construction of Salt Dome Districts 2 and 3	06/87	09/89	310	156	154	Yes	Yes	
263	New Equipment Street Flushers	05/88	12/89	180	78	102	Yes	Yes	
<b>(301-350) Department of Culture &amp; Recreation</b>									
302	Parkland Acquisition Programme	01/85	Unknown	500	496	4	Yes	Yes	
307	Bike Paths (Phase 1)	05/86	06/88	330	308	22	Yes	Yes	
309	Construction of West Mountain Twin Arena - Mohawk and Upper Horning						<div>No</div>	<div>No</div>	
310	Golf Cart Storage Facility - King's Forest Golf Courses	Unknown	Unknown	6,605	185	6,420	<div>No</div>	<div>No</div>	
		06/87	10/88	64	63	1	Yes	Yes	
311	Bike Paths (Phases 2, 3 & 4)	05/87	12/90	990	101	889	Yes	Yes	
312	Renovations Artificial Ice Rink - Scott Park	06/87	10/88	569	507	61	Yes	Yes	
314	Playground Equipment	04/88	12/88	60		60	Yes	Yes	
315	Senior Citizens Drop-In-Centre	05/88	12/88	100		100	Yes	Yes	



## SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at August 31, 1988 (000's)		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Month/Year of Project					Construction (8)	Yes or No Budget (9)
		Start (3)	Finish (4)					
(351-400) Parks Division								
351	Ivor Wynne Stadium - Rehabilitation of N/S Stands - Press Boxes, Etc.	04/86	12/89 *	994	752	241	Yes	Yes
354	Waterfront Parks Development - Study Phase	09/84	12/88	150	142	8	Yes	Yes
356	Chedoke Golf Course Storage and Workshop	06/86	06/89 *	161		161	Yes	Yes
357	Track Facility - Mohawk Sports Park	05/86	12/88 *	300	296	4	Yes	Yes
358	Floodlight Fields - Mohawk Sports Park	10/86	08/88	120	96	24	Yes	Yes
360	Waterfront Parks Development - Consulting Services	06/86	12/88	200	153	47	Yes	Yes
362	Mohawk Sports Park (Stage VI)	06/87	12/88 *	520	315	205	Yes	Yes
363	Mohawk Sports Park Construction of Utility Building	07/87	12/88	222		222	Yes	Yes
364	Renovations - Bernie Arbour Stadium	10/87	12/88	473	47	426	Yes	Yes
365	New Equipment - Parks Maintenance	05/88	12/88	60	48	12	Yes	Yes
366	Upgrading of Gage Park	05/88	12/89	118		118	Yes	Yes
367	Sackville Hill Park - Paving Parking Lot	05/88	12/89	60		60	Yes	Yes
368	Mountain Drive Park Repairs	05/88	12/89	100		100	Yes	Yes
369	Brampton Street #2 Depot - Yard Construction	05/88	12/89	50		50	Yes	Yes
370	Mohawk Sports Park - Utility Building	05/88	12/88	24		24	Yes	Yes
371	Mohawk Sports Park - Fieldhouse	05/88	12/88	81		81	Yes	Yes
372	T.B. McQueston Park Development - Stage 1	05/88	12/92	50		50	Yes	Yes
373	Construction of Utility Building - - Brian Timmis Stadium	04/88	12/90	300		300	Yes	Yes
374	Floodlighting Brian Timmis Stadium	04/88	12/88	130		130	Yes	Yes
375	Park Development & Redevelopment by Priority	05/88	12/88	321		321	Yes	Yes



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**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**

(000's)									
as at August 31, 1988									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		
		Start (3)	Finish (4)				Construction (8)	Budget (9)	
<b>(401-450) H.E.C.F.I.</b>									
401	Central Utilities Plant - New Equipment	05/85	12/88 *	316	315	1	Yes	Yes	
402	Victor K. Copps Trade Centre/Arena	08/83	12/91	41,429	40,596	833	Yes	Yes	
403	Automated Facilities Management Computer System	06/86	12/89 *	83	18	65	Yes	Yes	
404	Victor K. Copps Trade Centre/Arena Renovations	07/87	06/89	130	74	56	Yes	Yes	
405	Corporate Expense - Office Equipment	05/87	12/88 *	10	8	2	Yes	Yes	
406	Corporate Expense - Equipment for Marketing Offices	05/87	12/88 *	23	22	1	Yes	Yes	
407	Central Utilities Plant - New Equipment	06/87	12/88 *	237	233	4	Yes	Yes	
408	Victor K. Copps Trade Centre/Arena New Equipment & Renovations	04/88	06/89 *	120	48	72	Yes	Yes	
409	Central Utilities Plant Replacement & Overhaul of Equip.	04/88	12/90	410	228	182	Yes	Yes	
410	Automated Facilities Management - Corporate		12/89	327			No	Yes	
<b>(451-500) Hamilton &amp; Scourge</b>									
451	Conservation Laboratory	09/88	12/88	220		220	Yes	Yes	
<b>(501-550) Hamilton Public Library Board</b>									
501	Kenilworth Branch Renovations	05/86	07/88	493	493	Nil	Yes	Yes	
502	Replacement - Specialized Office Equipment and Furnishings	08/87	12/88	107	92	15	Yes	Yes	
503	Terryberry Library Addition - 2nd Floor	08/87	12/89	1,566	1	1,565	No	Yes	

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

		as at August 31, 1988		(000's)									
Item No.	Project Description	(1)	(2)	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?		Yes	No	Budget
				Start	Finish				Construction	Budget			
				(3)	(4)	(5)	(6)	(7)	(8)	(9)			
(501-550) <u>Hamilton Public Library Board-Ctd.</u>													
505	Terryberry Library - New Furnishings				12/89 *	156							
506	Purchase of Wands for Circulation System				12/88	25							
508	Furniture & Equipment - Office Computerization				12/88	40							
(551-600) <u>Hamilton Place</u>													
551	Roof Replacement			10/88	12/88	335							
552	Great Hall Sound Console				02/89	200							
(601-650) <u>Planning</u>													
601	Enclaves Clearance			08/87	12/91	3,000	982	2018	Yes		Yes		
(651-700) <u>Hamilton Convention Centre</u>													
651	Hamilton Convention Centre Furniture & Equipment			06/86	10/88 *	62	62	Nil	Yes		Yes		
652	Hamilton Convention Centre Furniture & Equipment			06/87	12/88	288	193	95	Yes		Yes		
653	Hamilton Convention Centre Furniture & Equipment			02/88	12/88	168	45	123	Yes		Yes		
655	Hamilton Convention Centre Carpet Replacement			12/88	12/88	300			Yes		Yes		
(701-750) <u>Community Development Department</u>													
701	Downtown Action Plan - Phase III B			07/86	12/88	1,300	1,268	32	Yes		Yes		
702	Downtown Action Plan - Phase II			07/85	12/88 *	1,603	1,578	25	Yes		Yes		

City of Hamilton  
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**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**

as at August 31, 1988 (000's)									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Budget (9)
		Start (3)	Finish (4)				Construction (8)	Yes or No	
<u>(701-750) Community Development Department-Ctd.</u>									
704	James St. North Streetscape	07/86	12/88	1,994	1,840	154	Yes	Yes	Yes
706	Downtown Action Plan - Phase IV	05/87	12/88	1,199	489	710	Yes	Yes	Yes
707	O.N.I.P. Corktown/Stinson	05/87	12/90	900	733	167	Yes	Yes	Yes
708	Facade Improvement Programme	07/87	12/90	800	189	602	Yes	Yes	Yes
710	Downtown Action Plan - C.I.B.C.	09/87	11/88 *	80	80	Nil	Yes	Yes	Yes
711	Commercial Improvement Programme	06/87	12/91	2,500	174	2326	Yes	Yes	Yes
713	Streetscape Improvements - York Boulevard - MacNab to James Street	06/87	06/88	100	100	Nil	No	Yes	Yes
714	P.R.I.D.E. Programme - Crown Point West/Stipeley - Phase I	09/87	12/91	800	77	723	Yes	Yes	Yes
715	P.R.I.D.E. Programme - Crown Point West/Stipeley - Phase II		12/90	800			No	Yes	Yes
716	Industrial Waste Clean-up of Former Lax Property		12/88	1000			No	Yes	Yes

2-13

August 23, 1988

BLH:jc









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its THIRTEENTH Report for 1988 and respectfully recommends:

1. That a purchase order be issued to Econolite Canada Inc., Scarborough in the amount of \$25,867.19 for the supply and delivery of Vehicle Actuated Controllers & Timers for the Traffic Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in Stock Materials-Signals Account No. 0394-3323.

As there is a long lead time for these controllers, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

2. (a) That purchase orders be issued for Rental of Snow Removal Equipment and Labour in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders as attached hereto as Schedule "A".  
  
(b) That the term of the agreement be from November 30, 1988 to December 31, 1988, with an option in favour of the City to extend for an additional two one (1) year terms ending April 31, 1991.
3. That the City of Hamilton grant the Ministry of Transportation an Authority to Enter on the former Brampton Street landfill site for soil investigation purposes related to the North-South Freeway Project subject to the following conditions:

In consideration of the Ministry of Transportation:

- (a) assuming all risk not previously existing, directly resulting from entry on the said lands by the Ministry, and

- (b) assuming all costs and expenses not previously existing directly resulting from any construction, reconstruction, relocation, repair and maintenance of any ground and underground fixtures, installations, devices, pipes, utilities, conduits, buildings or structures occasioned by reason of the construction of the works, The City hereby authorize the Ministry, its servants and agents to make entry on the said lands as the Ministry may require for soil investigation purposes pertaining to the North-South Freeway Study. the Ministry must restore the said land to its former state.

- 4. That an Offer to Purchase executed by Mr. A. Frisina, on behalf of 100 Main Street East Limited, on August 19, 1988 and scheduled for closing on November 17, 1988, be approved and completed.

NOTE: Subject property has a frontage along the northerly limit of Rymal Road West of 20.117 metres (66 feet) and is shown as Parts 1 and 2 on Expropriation Plan No. 440182 C.D. It forms part of the property known as 480 Rymal Road West. The purchase price of \$22 600 is to be credited to Account No. 0280-12 (Reserve for Services through unsubdivided land). A certified deposit cheque in the amount of \$22 200 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed:

- (a) That the subject lands are being acquired by the City through expropriation.
- (b) This Offer to Purchase is conditional upon the City obtaining possession of the subject lands on or before the date of closing of this transaction. Otherwise, this Offer shall be null and void and the Purchaser's deposit returned without interest.
- (c) That the City is to convey the herein described land to 100 Main Street East Limited to be laid out as a highway and associated One Foot Reserve by a Plan of Subdivision, prepared by the Purchaser to be known as Rymal Estates. 100 Main Street East Limited shall register the said plan on or before September 7, 1989.



- (d) i. In the event that the Purchaser does not comply with covenant (3) above, the Purchaser covenants and agrees that, if required by the City, the Purchaser shall sell the subject land to the City of Hamilton free and clear of all charges, encumbrances, liens, claims or adverse interest whatsoever, for the sale price herein, (without any interest) - less (a) the herein deposits; (b) the commission paid (if any) by the City to a Real Estate Agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
- ii. The Purchaser agrees that the deed to him shall include covenants 3 and (d) i. and that shall execute the deed for purposes of these items in favour of the City.
- iii. The Purchaser agrees that all of the terms in this Offer to Purchase and its Schedule in favour of the City, shall not merge on closing, but continue in full force and effect, in favour of the City.
- (e) That the City's deed to the Purchaser shall be subject to a right-of-way through and across the conveyed land in favour of the City, and the residents of the balance of 480 Rymal Road West, such right-of-way to cease when the land conveyed is laid out as a highway by the said registered plan of subdivision and when the One Foot Reserve portion of the land conveyed is transferred to the City.
5. (a) That an Option to Purchase executed by 428680 Ontario Limited (Principals - Herbert Schreiber, President; Trevor-Garwood Jones, Secretary) on August 16, 1988 and scheduled for closing on or before November 21, 1988 be approved and completed.

NOTE: The subject property is located in the Barnstown Neighbourhood East of Upper Wellington between Stonechurch and Rymal is known as Parts 6, 7 and 8 on Plan 62R-9675 and contains a total area of 1,124.12 square metres (12,100.32 square feet). The purchase price of \$1 is to be charged to Account No. 0280-02.

- (b) That an Offer to Purchase executed by 428680 Ontario Limited on August 16, 1988 and scheduled to close on or before November 21, 1988 be approved and completed.

NOTE: The subject property is located in the Barnstown Neighbourhood East of Upper Wellington between Stonechurch and Rymal is known as Parts 2 and 3 on Plan 62R-9675 and contains an area of 1,499.3 square metres (16,138.86 square feet). The sale price in the amount of \$6 500 is to be credited to Account No. 0280-02. A certified deposit cheque in the amount of \$650 is being held by the City Treasurer pending approval of this transaction.

- (c) That an Option to Purchase executed by the Board of Education for the City of Hamilton on August 31, 1988 and scheduled to close on or before November 21, 1988 be approved and completed.

NOTE: The subject property is located in the Barnstown Neighbourhood East of Upper Wellington between Stonechurch and Rymal is known as Parts 1 and 2 on Plan 62R-9675 and contains a total area of 1,673.34 square metres (18,012 square feet). The purchase price of \$1 is to be charged to Account No. 0280-02.

- (d) That an Offer to Purchase executed by the Board of Education for the City of Hamilton on August 31, 1988 and scheduled to close on or before November 21, 1988 be approved and completed.

NOTE: The subject property is located in Barnstown Neighbourhood East of Upper Wellington between Stonechurch and Rymal is known as Parts 5, 6, 7 and 8 on Plan 62R-9675 and contains a total area of 1,763.09 square metres (18,978 square feet).

The sale price of \$1 is to be credited to Account No. 0280-02.

The closing of this transaction (c) and (d) above is conditional upon the closing of the following transactions, at the same time, on the same date.

- i. 428680 Ontario Limited conveying Parts 6, 7 and 8 on Plan 62R-9675 to The Corporation of the City of Hamilton.
- ii. The Corporation of the City of Hamilton conveying to The Board of Education for the City of Hamilton, Parts 5, 6, 7 and 8 on Plan 62R-9675.
- iii. The Board of Education for the City of Hamilton conveying to The Corporation of the City of Hamilton, Parts 1 and 2 on Plan 62R-9675.
- iv. The Corporation of the City of Hamilton conveying to 428680 Ontario Limited, Parts 2 and 3 on Plan 62R-9675.

6. That an Option to Purchase the one (1) foot reserve known as Reserve "A", Registered Plan 943, executed by Frank Herbert Waterland and Lily Waterland, on August 15, 1988 and scheduled for closing on or before November 21, 1988 be approved and completed.

NOTE: The subject property measures 214 feet along the westerly limit of Forbes Street (formerly Franklin Street), by a depth of one (1) foot, shown as Reserve "A", Plan 943. The purchase price of \$501 is to be charged to Account No. 0280-12.

7. That the application of Mr. H. Holt, Chairman of the Hamilton Santa Claus Parade Committee, to temporarily close Catharine Street from Main Street to King Street to hold the Santa Claus Parade from 9:45 a.m. to 11:45 a.m. on Saturday, November 19, 1988, be approved during the pleasure of Council, provided that:
- (a) All signing and barricading will be subject to the direction of the Regional Police and at no cost to the City;
  - (b) Clean-up will be carried out immediately following the parade, at no cost to the City;
  - (c) The organizing group provide proof of \$1 000 000 public liability insurance prior to the event, naming the City of Hamilton as an additional insured party, with a provision for cross-liability, and save the City harmless from all actions, causes of action, interests, claims, demands, costs damages, expenses and loss; and
  - (d) No property owner within the barricaded area will be denied access to his property upon request.
8. (a) That the "Heart and Stroke Foundation" be permitted to display a promotional banner across Main Street West, in front of City Hall, from February 6, 1989 to February 13, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"LISTEN TO YOUR HEART - BEAT THE ODDS"

- (b) That the "Metropolitan Hamilton Basketball School" be permitted to display a promotional banner across Main Street West, in front of City Hall, from July 24, 1989 to July 31, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"CANADIAN BASKETBALL SUPER CAMP WELCOMES  
CANADIAN AND AMERICAN COLLEGE COACHES"

- (c) That the "Designer Showcase Organization" be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 08, 1989 to May 15, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"DESIGNER SHOWCASE - '89 FUNDRAISING FOR  
HAMILTON PHILHARMONIC ORCHESTRA"

- (d) That the "Hamilton Junior Chamber of Commerce" be permitted to display a promotional banner across Main Street West, in front of City Hall, from January 16, 1989 to January 23, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"HAMILTON JUNIOR CHAMBER OF COMMERCE/JAYCEES -  
BUILDING TOMORROW'S LEADERS TODAY"

9. That the application of Mr. N. Zaffiro, Solicitor, on behalf of the present owner of 183-185 Simcoe Street East, Dennis Torresin to retain the inadvertent encroachments consisting of:
- At 183 Simcoe Street East - on Ferguson - 11 Storey brick building  
(0.24 m x 11.48 m)
    - on Simcoe - 1 storey brick building  
(0.52 m x 8.65 m)
    - concrete stoop  
(1.77 m x 2.56 m)
  - At 185 Simcoe Street East - 1 story brick building  
(0.43 m x 8.06 m)
    - concrete stoop (1.68 m x 2.42 m)



be approved during the pleasure of City Council provided:

- (a) That the owner enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
- (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

10. That the application of Mr. A. Camporese, Solicitor, on behalf of the present owner of 7 Devonport Street, Juanita Hodge, to retain the inadvertent encroachment consisting of a concrete porch and steps (measuring 0.22m x 3.36m), be approved during the pleasure of City Council provided:

- (a) That the owner enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
- (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

11. That the application of Mark A. Dudzic, Solicitor, on behalf of the present owner(s) of 133 Ferrie Street East, George Nelson Addison and Kathleen Jean Addison, to retain the inadvertent encroachment consisting of an enclosed brick and wood porch (measuring 0.53m x 3.96m), be approved during the pleasure of City Council provided:

- (a) That the owner(s) enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
- (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

12. That the application of Mr. M. J. Lewis, Solicitor, on behalf of the present owner(s) of 70 Earl Street, Michael Wright and Marjery Wright, to retain the inadvertent encroachment consisting of a 1 storey frame house encroaching onto Princess Street by (7.47m x 0.19m), be approved during the pleasure of City Council provided:
- (a) That the owner(s) enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
13. That the application of Nicholas J. Zaffiro, Solicitor, on behalf of the present owner of 2 Rockwood Place, Pat Cupido to retain the inadvertent encroachment consisting of a concrete porch (measuring 0.76m x 2.49m), be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
14. That the application of Mr. N. Campbell, Solicitor, on behalf of the present owner of 86 East Avenue North, Mr. Pellizzari to retain the inadvertent encroachment consisting of concrete verandah (measuring 1.01m x 2.13m), be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$46 and subsequent annual fee of \$20 be set for this privilege.

- (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

15. That the application of Mark A. Dudzic, Solicitor, on behalf of the present owner(s) of 195 Bold Street Paul Sherlock and Rolf Langer to retain the inadvertent encroachments consisting of:

- concrete steps measuring 1.43m x 3.35m
- bay window encroaching onto Hess Street South by 0.22m x 2.29m

be approved during the pleasure of City Council provided:

- (a) That the owner(s) enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
- (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

16. That the application of Leslie T. Paci, Solicitor, on behalf of the present owner(s) of 82 Clyde Street, Carolina Lewis to retain the inadvertent encroachment consisting of concrete front steps (measuring 0.31m x 1.01m), be approved during the pleasure of City Council provided:

- (a) That the owner(s) enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
- (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

17. That the application of Mr. N. White, Solicitor on behalf of the present owner of 37 Francis Street, Wendy Haynes, to retain the inadvertent encroachment of a front porch measuring 0.64m x 1.22m, be approved during the pleasure of City Council, provided:
- (a) That the owner enter into an agreement satisfactory to the City solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
18. (a) That the submitted schedules for the estimated cost of services in "Wellington Chase - Phase 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement.
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
  - (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing.
19. (a) That the submitted schedules for the estimated cost of services in "Oakdale Estates - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and



- (d) That the City's Share of the cost of services for the development (\$112 426.16) be approved, and that the Executive Committee recommend the source of funding for the project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$112 426.16 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

20. (a) That staff be authorized to release Oakdale Estates - Phase 1 notwithstanding the condition that Emperor Avenue be established to its full width, providing that the owner, Wellington Chase Inc. of Wellington Chase - Phase 1, Stage 3 grant the City and Region right to enter upon Emperor Avenue and agree to convey the lands for Emperor Avenue to the City of Hamilton by deed before November 30, 1988, if the plan for Wellington Chase - Phase 1, Stage 3 is not registered by that time.
- (b) That the submitted schedules for the estimated cost of services in "Wellington Chase - Phase 1, Stage 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement.
- (c) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered.
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing.
21. (a) That the local Approvals Branch of the Ontario Ministry of the Environment be informed that:
- i. The City of Hamilton has no objection to Sanexen International carrying out PCB decontamination for Hamilton Hydro at the Aberdeen, Caroline, East Mountain and Ottawa Sub-Stations, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-laws are complied with fully.
- ii. The 30 day notification period that is normally required after a Certificate of Approval is issued be waived so that the proposed work can be carried out as schedule.

- (b) That Sanexen International Inc. be permitted to park the PCBD trailer on the road allowances as follows to carry out the required decontamination:
    - i. Alley between Homewood Avenue and Aberdeen Avenue from Dundurn Street to 150 feet easterly.
    - ii. East boulevard, sidewalk and curb land on Caroline Street from Market Street to 150 feet southerly.
    - iii. West boulevard of Ottawa Street from Dalkeith Avenue to 103 feet southerly.
  - (c) That if provision has not been made by the Ministry of the Environment to advise the area residents of the proposed work to be carried out by Sanexen International, Sanexen International will undertake to make the necessary notification of the area residents.
- 22.
- (a) That eastbound traffic on Pine Street be required to stop for northbound and southbound traffic on Pearl Street; and
  - (b) That northbound traffic on Avondale Avenue be required to stop for eastbound and westbound traffic on Gertrude Street; and
  - (c) That northbound traffic on Glenhaven Drive be required to stop for eastbound and westbound traffic on Cranbrook Drive; and
  - (d) That eastbound traffic on Skyview Drive be required to stop for northbound and southbound traffic on Sundown Drive; and
  - (e) That northbound traffic on Chris Court be required to stop for eastbound and westbound traffic on Skyview Drive; and
  - (f) That southbound traffic on Horizon Court be required to stop for eastbound and westbound traffic on Skyview Drive; and
  - (g) That stop signs be erected to control eastbound and westbound traffic on Limeridge Road East at Upper Kenilworth Avenue; and
  - (h) That four-way stop controls be implemented at the intersections of Sterling and Dalewood and Sterling and Haddon Avenue North; and
  - (i) That four-way stop controls be implemented at the intersections of Maple Avenue at Graham Avenue South and Maple Avenue at Wexford Avenue South; and
  - (j) That City Traffic By-law 66-100 be amended accordingly.

23. (a) That stopping be prohibited on the east side of Bay Street South between Markland Street and a point 90 feet southerly therefrom; and
- (b) That a stopping prohibition be implemented on the south side of Barton Street West between Ray Street North at a point 72 feet westerly therefrom; and
- (c) That City Traffic By-law 66-100 be amended accordingly.
24. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Brucedale Avenue East, commencing at a point 126 feet east of East 13th Street and extending to a point 47 feet easterly therefrom; and
- (b) That the "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be rescinded on the east side of St. Andrew's Drive between the north leg of St. Andrew's Drive and Jennifer Court; and
- (c) That a "No Parking, 9:00 a.m. to 12:00 noon, Monday to Friday" regulation be implemented on the west side of East 45th Street between Brucedale Avenue and Kerr Street; and
- (d) That a "No Parking, 9:00 a.m. to 12:00 noon, Monday to Friday" regulation be implemented on the north and south sides of Kerr Street between East 44th Street and Greenmeadow Road; and
- (e) That an "Alternate Side Parking" regulation be implemented on Oakland Drive between Kenora Avenue and the north/south leg of Oakdale Drive, such that parking is prohibited:
- i. on the north side of the street during the months of December, January, February and March and from the 1st to 15th of April, May, June, July, August, September, October and November; and
- ii. on the south side of Street from the 16th to the last day of April, May, June, July, August, September, October and November; and
- (f) That a parking prohibition be implemented on the west side of Proctor Boulevard commencing at a point 114 feet north of Dunsmure Road and extending to a point 43 feet northerly therefrom; and
- (g) That a stopping prohibition be implemented on the west side of Depew Street between Gertrude Street and the C.N.R. Railway Tracks; and

- (h) That stopping be prohibited on the east side of Depew Street between Gertrude Street and a point 410 feet northerly therefrom; and
  - (i) That a "Commercial Vehicle Loading Zone" regulation be implemented on the east side of Depew Street commencing at a point 410 feet north of Gertrude Street and extending to a point 251 feet northerly therefrom; and
  - (j) That the existing parking prohibition on the west side of Balmoral Avenue North which commences at a point 141 feet south of Barton Street and extends to a point 71 feet southerly therefrom be shortened, such that the prohibition commences at a point 141 feet south of Barton Street East and extends to a point 27 feet southerly therefrom; and
  - (k) That the existing parking prohibition on the north side of Herkimer Street between Queen Street South and a point 55 feet westerly be extended, such that the regulation extends to a point 75 feet west of Queen Street South; and
  - (l) That City Traffic By-law 66-100 be amended accordingly.
- 25.
- (a) That the existing commercial boulevard parking agreement between the City and Barney, George, and Rose Demopolis and Freda Fotes (Elk's Shipping Supplies) registered as Instrument No. 427425 C.D. to the property at no. 271 Kenilworth Avenue North, be discharged at the property owner's expense; and
  - (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement; and
  - (c) That the property owner be directed to execute a paving agreement and install pre-cast concrete curbing to allow the paving, but not the parking, to remain on the City boulevard of Newlands Avenue adjacent to no. 271 Kenilworth Avenue North.
- 26.
- (a) That parking be prohibited on the south side of Cambridge Avenue between Kenilworth Avenue North and a point 50 feet westerly therefrom; and
  - (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of High Street, commencing at a point 205 feet north of the north curb line of Brucedale Avenue East and extending to a point 190 feet northerly therefrom; and
  - (c) That the City Traffic By-law 66-100 be amended accordingly.



27. (a) That the request of W. R. Sinclair for the deletion of sidewalks on one side of Fusilier Drive and Dragoon Drive in Wellington Chase (Phase 3) Subdivision be approved; and
- (b) That the request of W. R. Sinclair for the deletion of sidewalks on both sides of Corsica Court be approved.

NOTE: Approval of these requests is subject to the terms outlined in the Policy approved by Council on January 14, 1986 as item 14 of the Second Report of the Transport and Environment Committee.

28. That leave be granted to introduce the following Bills:
- (a) B-68 By-law to incorporate Block 71, Plan 62M-465 into Twin Crescent
- (b) B-69 By-law to incorporate Block 70, Plan 62M-465 into Acadia Drive
- (c) B-70 By-law to amend By-law 66-100 to Regulate Traffic.
- (d) B-71 By-law to amend By-law 66-100 to Regulate Traffic.
- (e) B-72 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1988 September 19

THE CORPORATION OF THE CITY OF HAMILTON  
 SCHEDULE "A"  
EQUIPMENT RENTAL FOR SNOW REMOVAL

REFERRED TO IN SECTION  
 TWO OF THE THIRTEENTH  
 REPORT OF THE TRANSPORT  
 AND ENVIRONMENT COMMITTEE

HOURLY RATE

MOTOR GRADER  
Based on Start Up C  
'88-'89 '89-'90 '90-'91

Danbill Equipment Rentals Ltd.  
 4 Parklands Drive, Hamilton L8K 4W7

3 Machines	\$110.00	\$115.00	\$120.00
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CGL Grading & Snow Removal  
 1533 King East, Hamilton L8K 1T1

3 Machines	\$110.00	\$115.00	\$120.00
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Advance Excavating  
 505 Kenora Avenue, Bldg. #1  
 Hamilton L8E 3P2

2 Machines Insurance & WCB Attached	\$110.00	\$116.00	\$123.00
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MOTOR GRADER WITH PLOW & WING  
Based on Start Up C  
'88-'89 '89-'90 '90-'91

CGL Grading & Snow Removal  
 1533 King East, Hamilton L8K 1T1

1 Champion	\$125.00	\$130.00	\$135.00
2 Austin Western	\$135.00	\$140.00	\$145.00

Advance Excavating  
 505 Kenora Avenue, Bldg. #1  
 Hamilton L8E 3P2

1 Champion	\$120.00	\$126.00	\$133.00
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TANDEM DUMP TRUCKS		
<u>'88-'89</u>	<u>'89-'90</u>	<u>'90-'91</u>

D. Swing o/a D. Swing Trucking  
133 East 38th Street. Hamilton  
L8V 4E8

3 Vehicles	\$40.00	\$42.00	\$44.00
Insurance & WCB attached			

714794 Ontario Limited  
o/S L.M. Enterprises  
27 Crooks Street. Hamilton L8R 2Z7

4 Vehicles	\$40.00	\$42.00	\$44.00
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559814 Ontario Inc.  
c/o Deluca Haulage & Excavating  
807 851 Queenston Road  
Stoney Creek L8G 1B4

7 Vehicles	\$45.00	\$47.50	\$50.00
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Pasinato Haulage Inc.  
213 Stone Church Road West  
Hamilton L9B 1A2

73 Vehicles	\$42.00	\$44.00	\$46.00
Insurance & WCB attached			

Angelo Loro o/a Loro Contracting  
R. R. #2, Binbrook L0R 1C0

2 Vehicles	\$42.00	\$45.00	\$48.00
Insurance & WCB attached			

Advance Excavating  
505 Kenora Avenue. Bldg. #1  
Hamilton L8E 3P2

15 Vehicles	\$44.00	\$48.00	\$52.00
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RUBBER TIRED LOADERS

	<u>'88-'89</u>	<u>'89-'90</u>	<u>'90-'91</u>
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CGL Grading & Snow Removal  
1533 King East, Hamilton L8K 1T1

2 Machines	\$50.00	\$52.50	\$55.00
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714794 Ontario Limited  
o/S L.M. Enterprises  
27 Crooks Street, Hamilton L8R 2Z7

1 Machine	\$45.00	\$50.00	\$55.00
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Digmor Excavating  
120 2nd Road West, Group K  
Box 1, R. R. #1  
Stoney Creek L8G 3X4

2 Machines WCB attached	\$48.00	\$50.00	\$52.00
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Nelson Excavating Company Limited  
150 Brockley Drive  
Stoney Creek L8E 3C5

3 Machines Insurance & WCB attached	\$55.00	\$60.00	\$65.00
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Angelo Loro o/a Loro Contracting  
R. R. #2, Binbrook L0R 1C0

1 J.D. 510	\$52.00	\$55.00	\$58.00
1 J.D. 444C	\$80.00	\$85.00	\$90.00

Advance Excavating  
505 Kenora Avenue, Bldg. #1  
Hamilton L8E 3P2

4 - 1-1/2 cy	\$58.00	\$63.00	\$69.00
1 - 2-3/4 cy	\$65.00	\$71.00	\$78.00



	TRACK SIDEWALK CLEANERS		
	<u>'88-'89</u>	<u>'89-'90</u>	<u>'90-'91</u>

741806 Ontario INC., operating as  
Blizzard Snow Plowing  
669 Beach Blvd., Hamilton L8M 6X8

1 Machine	\$42.50	\$45.00	\$47.50
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J. Bomb Snow Removal  
121 Chilton Drive  
Stoney Creek L8J 1L8

4 Machines	\$48.00	\$53.00	\$58.00
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	MISCELLANEOUS EQUIPMENT		
	<u>'88-'89</u>	<u>'89-'90</u>	<u>'90-'91</u>

714794 Ontario Limited  
o/S L.M. Enterprises  
27 Crooks Street, Hamilton L8R 2Z7

2 GMCs with Power Angle Plows	\$40.00	\$45.00	\$50.00
1 Ford with Power Angle Blade	\$50.00	\$55.00	\$60.00

Digmor Excavating  
120 2nd Road West, Group K  
Box 1, R. R. #1  
Stoney Creek L8G 3X4

1 GMC Dump Truck	\$35.00	\$37.00	\$39.00
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Nelson Excavating Company Limited  
150 Brockley Drive  
Stoney Creek L8E 3C5

1 Dozer 850	\$62.00	\$65.00	\$69.00
2 track loaders	\$78.00	\$82.00	\$86.00

Angelo Loro o/a Loro Contracting  
R. R. #2, Binbrook L0R 1C0

2 Dozers	\$58.00	\$61.00	\$64.00
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## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its SEVENTEENTH Report for 1988 and respectfully recommends:

1. That a purchase order be issued to Lord Cultural Resource Planning and Management Inc., Toronto, in the amount of \$29 750 to prepare a Long Range Development Plan for the Children's Museum, in accordance with specifications issued by the Manager of Purchasing and Vendor's Proposal.

NOTE: Lowest of two (2) proposals received. Funds provided in Consultants Fees Account No. 0369-1457 (\$6 000) and the balance to be provided by funding from The Ministry of Culture and Communications (C.F.I.P.) and Museums Assistance Programme - Communications Canada.

2. That a purchase order be issued to Connon Nurseries, Waterdown in the amount of \$13,998.86, plus 8% Provincial sales tax, for the supply and delivery of Trees, Shrubs, Evergreens for the Parks Division, Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Work Done for Others Operating Supplies Account No. 0364-9823.

3. That a purchase order be issued to Ancaster Paving Limited, Ancaster, in the amount of \$15 416 for pavement repairs to King's Forest Tennis Courts, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in Tennis Courts-Paint, Repair, Replacement Account No. 0367-0576.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

4. That the former Inverness School not be leased or used by the City on an interim basis until the feasibility study on the future use of the premises is complete and until improvements to the building, if this is in fact the recommended route to follow, are undertaken to make the building acceptable for long term use.
5. That an Option to Purchase, executed by Peter Vaitiekunas and Dana Vaitiekunas on August 16, 1988 and scheduled for closing on November 21, 1988, for the purchase of part of the property at 89 Highland Road be approved and completed.

NOTE: Subject property has a frontage along the easterly limit of Pritchard Road of 400 feet (121.9) metres, more or less, shown as Parts 2, 3, 4, 5, 7 and 8, on the attached Plan, containing 145,091 square feet (13,478 square metres), more or less, with the exact area to be determined by a survey. Parts 2, 4, 5 and 7 are subject to an easement in favour of Bell Canada. The purchase price of \$157 500, which is subject to adjustments, is to be charged to Account No. 0280-11, in which sufficient funds are available to finalize this transaction.

It is understood and agreed that the exact area of the subject parcels of land will be determined later through a survey prepared by the Regional Surveyor.

The final purchase price of the lands described herein is to be calculated by applying

- (a) a rate of \$50 000 per acre applied to the land being purchased described as Parts 3 and 8 on the attached plan, as defined by the survey.
  - (b) a rate of \$25 000 per acre applied to the land being purchased as described as Parts 2, 4, 5, & 7 on the attached plan as defined by the survey.
6. (a) That the firm of Moore/George Associates Inc. be retained to undertake the Red Hill Creek Recreation Master Plan Study.
  - (b) That the City of Hamilton, request the Region of Hamilton Wentworth's Freeway Steering Committee to finance this Red Hill Creek Master Plan Study at an estimated cost of \$90 000 recognizing these funds will be credited to the Region when the Region compensates the City of Hamilton for the City owned lands that are required for the Freeway.

7.
  - (a) That the gross amount of \$25 000 required for trimming and clearing the woodlot in Shawinigan Park be paid for by the Hamilton-Wentworth Separate School Board during 1988.
  - (b) That the Public Works Department, Parks Division place \$12 500 in the 1989 Current Budget to reimburse the Separate School Board for the City of Hamilton's 50% share of this work.
  - (c) That the Public Works Department, Parks Division proceed with the trimming and clearing of the woodlot in Shawinigan Park during this Fall, 1988.
8. That the City of Hamilton host a golf tournament in conjunction with the Santa Claus Parade Committee at the King's Forest Golf Course, on Friday, October 7, 1988, between the hours of 10:00 a.m. - 2:00 p.m.
9.
  - (a) That approval be given for the purchase of six sets of safety hockey nets and frames at an estimated cost of \$12 500.
  - (b) That approval be given to an overdraft of \$4 340 within the current operating budget of the Culture and Recreation Department financed by savings achieved in the Salary and Wages account for the Scott Park Arena due to the three month closure of that facility in January, February, and March, 1988.
  - (c) That staff be authorized to make application to the Ministry of Tourism and Recreation for Wintario grant funding to offset up to 50% of the costs.
10.
  - (a) That approval be given for the purchase and installation of traditional metal playlot equipment for Woodward Park at a cost of up to \$5 000 in accordance with the policy approved by City Council 1986, May 13, and amended on 1986, October 28.
  - (b) That the Executive Committee be requested to recommend the method of financing for this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE COSTS  
OF THE PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$5 000  
BE FINANCED FROM THE RESERVE FOR THE ACQUISITION OF  
PROPERTIES UNDER THE PLANNING ACT, ACCOUNT NO. 0280-11.

11. (a) That approval be given of the action taken by the Director of Culture and Recreation in approving the request by the Metropolitan Real Estate Board to serve alcoholic beverages in the rear garden of Dundurn Castle on the occasion of a reception to be held in conjunction with "Private Property Week", on Tuesday, September 27th, between the hours of 12 noon and 4:00 p.m.
- (b) That the applicant assume responsibility for securing the necessary permit from the L.L.B.O.
12. (a) That the membership of the Arts Advisory Sub-Committee be increased by five (5) members from eight (8) to thirteen (13) (11 citizen members and 2 Council members).
- (b) That the Arts Advisory Sub-Committee be empowered to make the recommendations for the five new appointments.
- (c) That the Arts Advisory Sub-Committee's present quorum of five (5) be reduced by two (2) to three (3) for the balance of the present Council's term or until such time as recommendation (a) is implemented.
13. That "Bernie Arbour Stadium" signs denoting Redbirds Baseball, be placed at various locations in the City after staff consults with representatives from the Redbirds Organization.
14. (a) That City Council affirm the Senior Citizens Council as the official recognized organization authorized to make recommendations to Council, relative to matters concerning seniors, through the various Standing Committees of Council.
- (b) That Alderman Brian Hinkley be appointed as the liaison between the Parks and Recreation Committee and the Senior Citizens Council.
15. (a) That City Council authorize a study to refine the Report of the Seniors Citizen Council, dated May 1988, with a view to determining the best mountain location to build a new Seniors Centre.
- (b) That the Executive Committee make tentative provisions in the Capital Budget subject to final costs being determined.
- (c) That the appropriate staff be directed to prepare proposals for the study.



16. (a) That a further court appeal of the Ontario Municipal Board decision relative to the Twin Pad Arena, not be launched.
- (b) That the Provincial Cabinet be petitioned to amend the Jurisdiction of the Ontario Municipal Board with respect to its power to rule on matters respecting local community "need" and specifically on its decision relative to the Twin Pad Arena at Olympic Park.
- (c) That Staff be directed to report, as soon as possible on either an alternative location for the Twin Pad Arena or the possibility of twinning existing arenas in the City of Hamilton.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT SUBSECTION (b)  
BE DELETED AND REPLACED WITH THE FOLLOWING:

(b) THAT THE PROVINCIAL CABINET BE PETITIONED TO:

- i. REVERSE THE DECISION OF THE ONTARIO MUNICIPAL BOARD WITH RESPECT TO THE TWIN PAD ARENA AT OLYMPIC PARK; AND
- ii. AMEND THE JURISDICTION OF THE ONTARIO MUNICIPAL BOARD WITH RESPECT TO ITS POWER TO RULE ON MATTERS PERTAINING TO LOCAL COMMUNITY "NEED".

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1988 September 20









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its NINETEENTH Report for 1988 and respectfully recommends:

1. That the Offer to Purchase the lands of the Corporation of the City of Hamilton, being composed of Lot 43, Plan M-227, Hamilton Industrial Park No. 1, duly executed on 1987 November 2 by the Purchasers, Elio Pietrantonio and Maria Angela Pietrantonio, as approved by City Council on 1987 November 24, Sixteenth Report of the Planning and Development Committee, Item #4, BE AMENDED as follows:
  - (a) That the date of commencement of construction be extended from 1988 July 26 to 1988 October 26, and
  - (b) That all other terms and conditions of the Offer to Purchase to remain the same, and time continues to be of the essence.
2. That an Option to Purchase the property at 411 Sherman Avenue North by Phillip Sinwaski, executed on 1988 September 7 and scheduled to close on or before 1988 November 15 BE COMPLETED.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) and has a frontage of 20 feet, more or less by a depth of 90 feet, more or less, together with all structures erected thereon. The purchase price of \$65 000 and all costs and associated expenses, including Tenant Moving Allowances, to be charged to account 0408-W75266. Demolition is to take place upon closing.

3. That the City Solicitor BE AUTHORIZED to prepare the necessary release agreement from the City of Hamilton to the present owners of 100 Goderich Road, Hamilton, Ontario to release the property from the construction covenants to the City as contained in deed number 342507 CD.

NOTE: In adopting Item 22 of the First Report of the Planning and Development Committee on 1985 December 10, City Council authorized the sale of the City owned property at 100 Goderich Road to 650553 Ontario Inc. The transaction was completed on 1986 February 6. A 5,000 square foot building was completed on the site in accordance with the building covenants contained in the City's deed number 342507 CD.

4. That the Commissioner of Engineering BE AUTHORIZED and directed to issue a requisition to Dufferin Construction Company in the amount of \$30 000 for the supply and installation of a working, decorative lighting system on Barton Street, and be charged to the City of Hamilton Capital Budget Account No. 0407-K75709.

NOTE: Lowest of three (3) bids received.

5. That the Corporation of the City of Hamilton accept the sum of \$3 560 as cash payment in lieu of 5% dedication in connection with Anna Capri Gardens Addition, Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located south of Stone Church Road and east of Upper Gage Avenue, in the Templemead Neighbourhood, Hamilton.

6. That the Corporation of the City of Hamilton accept the sum of \$27 930 as cash payment in lieu of 5% dedication in connection with Lillian Heights - Phase 1, Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located between Upper Gage Avenue and Upper Ottawa Street, south of Rymal Road, in the Broughton East Neighbourhood, Hamilton.

7. That the Corporation of the City of Hamilton accept the sum of \$78 225 as cash payment in lieu of 5% dedication in connection with Templemead No. 1 Survey - Phase 2, Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located east of Upper Gage Avenue and north of Rymal Road, in the Templemead Neighbourhood, Hamilton.

8. That the Corporation of the City of Hamilton accept the sum of \$55 080 as cash payment in lieu of 5% dedication in connection with Highridge Hills - Stage 1, Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located east of Upper Sherman Avenue, north of Stone Church Road, in the Randall Neighbourhood, Hamilton.

9. (a) That the Department of Community Development BE DIRECTED to process an increase in the Designated Property Grant for 1988 to \$5 975 to Mr. Carl Kopriva, owner of 233 and 235 Locke Street North (Castle Dean).
- (b) That the Department of Community Development BE DIRECTED to process an increase in the Community Heritage Trust Fund Loan to Mr. Carl Kopriva, owner of 233 and 235 Locke Street North (Castle Dean), in the amount of \$5 995 at six (6) percent interest, amortized over a ten (10) year period.

10. (a) That APPROVAL be given to Official Plan Amendment No. 64 to redesignate from "Residential" to "Commercial", and to establish a "Special Policy Area", lands located on the north side of Rymal Road East between Upper Wentworth Street and the Hydro Right-of-Way, and that the City Solicitor be directed to prepare a By-law to adopt the Official Plan amendment for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That APPROVAL be given to amended Zoning Application 88-24, Arthur Weisz, owner, requesting a change in zoning from the "AA" (Agricultural) District to the "G-1" (Designed Shopping Centre) District for property located on the north side of Rymal Road East between Upper Wentworth Street and the Hydro Right-of-Way, as shown on the attached map marked as APPENDIX "A", on the following basis:
- (i) That the subject lands be rezoned from the "AA" (Agricultural) District to the "G-1" (Designed Shopping Centre) District.
  - (ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27D and E-27E for presentation to City Council.
  - (iii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 64.
  - (iv) That the approved Butler Neighbourhood Plan be amended by redesignating the subject lands to "Commercial".

NOTE: The purpose of the By-law is to provide for a change in zoning from the "AA" (Agricultural) District to the "G-1" (Designed Shopping Centre) District for property located on the north side of Rymal Road East between Upper Wentworth Street and the Hydro Right-of-Way.

The effect of the By-law is to permit the future development of the property for a retail shopping plaza having between 9,290 m<sup>2</sup> (100,000 sq.ft.) and 13,395 m<sup>2</sup> (150,000 sq.ft.) of floor space.



11. (A) That in regard to Zoning Application 88-07 by Vaghela Investments, owner, of properties at 21-71 Sanford Avenue North, 14 Acorn Street and 15 Sanford Avenue South, that Section 4 of the Eighth Report for 1988 of the Planning and Development Committee adopted by City Council on 1988 April 27, and Section 14 of the Thirteenth Report for 1988 of the Planning and Development Committee adopted by City Council on 1988 May 31, BE DELETED and the following substituted therefore:

(a) That APPROVAL be given to Zoning Application 88-07, Vaghela Investments, owner, requesting a change in zoning from "J" (Light and Limited Heavy Industry) District to "DE-3" (Multiple Dwellings) District, a modification to the established "H" (Community Shopping and Commercial, etc.) District, to permit the conversion of the existing vacant industrial buildings to a 193 unit multiple dwelling (condominium) for the property located at numbers 21-71 Sanford Avenue North, and to allow for required parking to be located off-site at numbers 15 Sanford Avenue South and 14 Acorn Street, shown respectively as Blocks "2", "3" and "4" on Schedules "A", "A-1" and "A-2", attached herewith as APPENDIX "B", "C", and "D", on the following basis:

- (i) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act R.S.O. 1983 to the lands shown as Block "2", by introducing the holding symbol 'H' as a suffix to the proposed "DE-3" District.
- (ii) That Block "2" be rezoned from "J" (Light and Limited Heavy Industry) District, modified to "DE-3" - 'H' (Multiple Dwellings) District;
- (iii) That the holding provision ('H') be removed by City Council upon completion of a site plan for the proposed development which includes the parking lots located at No. 15 Sanford Avenue South, and 14 Acorn Street, shown as Block "3" and "4";

- (iv) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593 applicable to Block "2" be modified to include the following variances as special requirements:
- (1) That Section 10C(3) shall not apply to the existing buildings and any new additions;
  - (2) That notwithstanding Section 10C(6), there shall be provided and maintained on the lot and within the district, at least 12% of the lot area as landscaped area and not less than 9.40% of the lot area shall be landscaped at grade;
  - (3) That notwithstanding Section 10C(5) no building or structure in a "DE-3" District shall have a gross floor area greater than 29,500 m<sup>2</sup>;
- (v) That Section 4.(3)(a) shall not apply;
- (vi) That notwithstanding Section 18A.(9), required parking for the multiple dwelling may be provided on lots located at No. 15 Sanford Avenue South and No. 14 Acorn Street, shown as Blocks "3" and "4", or on-site;
- (vii) That notwithstanding Section 18A.(1)(c), one loading space (9 m x 3.7 m x 4.3 m) shall be provided on-site.
- (viii) That Section 2.(2)J.(xb)(c) shall not apply.
- (ix) That notwithstanding Section 18A.(7) every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long;
- (x) That notwithstanding Section 18A.(8) every parallel parking space shall have dimensions not less than 2.4 metres wide and 6.7 metres long;
- (xi) That notwithstanding Section 18A.(1)(f) the manoeuvring space abutting upon and accessory to each required parking space, except for parallel parking spaces, shall have an aisle width of not less than 4.4 metres in length;

- (xii) That notwithstanding Section 18A.(1)(f) the manoeuvring space for parallel parking spaces shall be permitted on an adjacent alleyway for the lands shown as Block "3";
- (xiii) That notwithstanding Section 18A.(24)(b)(i), the access driveways shall be not less than 4.4 metres in width;
- (xiv) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593, applicable to Block "4" be modified to include the following variances as special requirements:
  - (1) That notwithstanding Section 13C(3)(i) a front yard of 1.8 metres shall be provided.
  - (2) That Section 13C(3)(ii) shall not apply.
- (xv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1073, and that the subject lands on Zoning District Map E-22 be notated S-1073;
- (xvi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-22 for presentation to City Council;
- (xvii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (xviii) That approved Gibson Neighbourhood Plan be amended by redesignating No. 21 Sanford Avenue from "Commercial and Apartments" to "Medium Density Apartments".
- (xix) That the conditions of the Hamilton-Wentworth Engineering Department be satisfied prior to the amending By-law being submitted to City Council for approval.

- (B) That Schedule "A" of Site Plan Control By-law 79-275 BE AMENDED by adding the properties located at No. 15 Sanford Avenue South and No. 14 Acorn Street as shown on Schedules A-1 and A-2, attached herewith as APPENDIX "C" and "D".

NOTE: The purpose of the By-law is to provide for a change in zoning from "J" (Light and Limited Heavy Industry) District modified, to "DE-3" - 'H' (Multiple Dwellings) District modified for the property located at Nos. 21-71 Sanford Avenue North, and to modify the "H" (Community Shopping and Commercial, etc.) District and the "G-3" (Public Parking Lot) District for the properties at 15 Sanford Avenue South and 14 Acorn Street.

The 'H' refers to a holding symbol which will prohibit the development of the subject lands until a site plan for a proposed development (including the two parking lots on Sanford Avenue South and Acorn Street) is approved by the Planning and Development Committee.

The effect of the By-law is to permit the conversion of the existing vacant industrial building at No. 21-71 Sanford Avenue North for a 193 unit multiple dwelling (condominium), and to allow required parking to be provided off-site at No. 15 Sanford Avenue South and No. 14 Acorn Street.

In addition, the By-law provides for the following variances:

- (a) to exempt the existing building and any new additions from the yard requirements of the "DE-3" District;
- (b) to permit a minimum landscaped area of 12% of the lot area and not less than 9.4% at grade, instead of the required 25%.
- (c) to permit a portion of the required landscape area to be provided at upper floor levels instead of at grade, and to delete the requirement of 50% of the required landscaping to be "natural earth" and plantings;
- (d) to allow 2 principal buildings on the same residential lot whereas only 1 building is permitted;
- (e) to allow a portion of the required parking spaces to be located off-site on lands located at No. 14 Acorn Street and No. 15 Sanford Avenue South instead of on-site;
- (f) to exempt the development from providing a large loading space whereas the By-law requires one large and one small loading space;



- (g) to permit a reduction in the size of the parking spaces from 2.7 m x 6.0 m to 2.6 m x 5.5 m;
- (h) to permit a reduction of the size of the parallel parking spaces from 2.5 m x 6.7 m to 2.4 m x 6.7 m;
- (i) to permit a reduction of the manoeuvring area from 6.0 m to 4.4 m in length;
- (j) to permit a reduction of the driveway from 5.5 m to 4.4 m in width;
- (k) to permit the manoeuvring space for a parallel parking space to be located on an adjacent alleyway instead of within the property for No. 15 Sanford Avenue South;
- (l) to permit the gross floor area of the existing building, including minor additions, to a maximum of 29,500 m<sup>2</sup> instead of the maximum 8,024 m<sup>2</sup> as restricted by the "DE-3" provisions of the By-law;
- (m) to permit a reduction in the required front yard from 6.0 m to 1.8 m for the parking area located at 14 Acorn Street; and
- (n) to delete the required 1.5 m distance between the residential building and the parking spaces located at 14 Acorn Street.

- 12. (a) That the Terms of Reference for the Task Force to Review the Mandate and Structure of the Hamilton Harbour Commission contained in Section 7 of the Sixth Report for 1988 of the Planning and Development Committee adopted by City Council on Tuesday, 1988 March 29 BE AMENDED to delete the completion date of the Task Force as 1988 September 30; and
- (b) That the Task Force BE AUTHORIZED to continue their review and submit their recommendations as quickly as possible.

13.

That leave be granted to introduce the following Bills:

- (a) Bill D-106 A By-law to amend Zoning By-law No. 6593 respecting lands being part of Municipal Nos. 1515 and 1523 Upper Gage Avenue.
- (b) Bill D-107 A By-law to adopt Official Plan Amendment No. 60 respecting rear portions of the lands known Municipally as 1375-1417 Upper James Street within the Ryckmans Neighbourhood.
- (c) Bill D-108 A By-law to amend The Property Standards By-law No. 74-74 respecting Retaining Walls.
- (d) Bill D-109 A By-law to adopt Official Plan Amendment No. 63 respecting lands located on the west side of Centennial Parkway North between the Queen Elizabeth Way and Confederation Drive.
- (e) Bill D-110 A By-law to amend Zoning By-law No. 6593 respecting lands located at the south-east corner of Upper Sherman Avenue and Stone Church Road East, and lands Municipally known as No. 1411 Upper Sherman Avenue and 688 Stone Church Road East.
- (f) Bill D-111 A By-law to amend Zoning By-law No. 6593 respecting land located in the area west of Silverton Drive and north of Nina Court.
- (g) Bill D-112 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 866 Upper Paradise Road.
- (h) Bill D-113 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 83-61 respecting lands located at Municipal Nos. 60-62 West Avenue South.
- (i) Bill D-114 A By-law to amend Zoning By-law No. 6593 respecting Definition of "Family".

- (j) Bill D-115 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 21-71 Sanford Avenue North, 15 Sanford Avenue South, and 14 Acorn Street.
- (k) Bill D-116 A By-law to establish Site Plan Control respecting land located at Municipal No. 15 Sanford Avenue South.
- (l) Bill D-117 A By-law to establish Site Plan Control respecting land located at Municipal No. 14 Acorn Street.

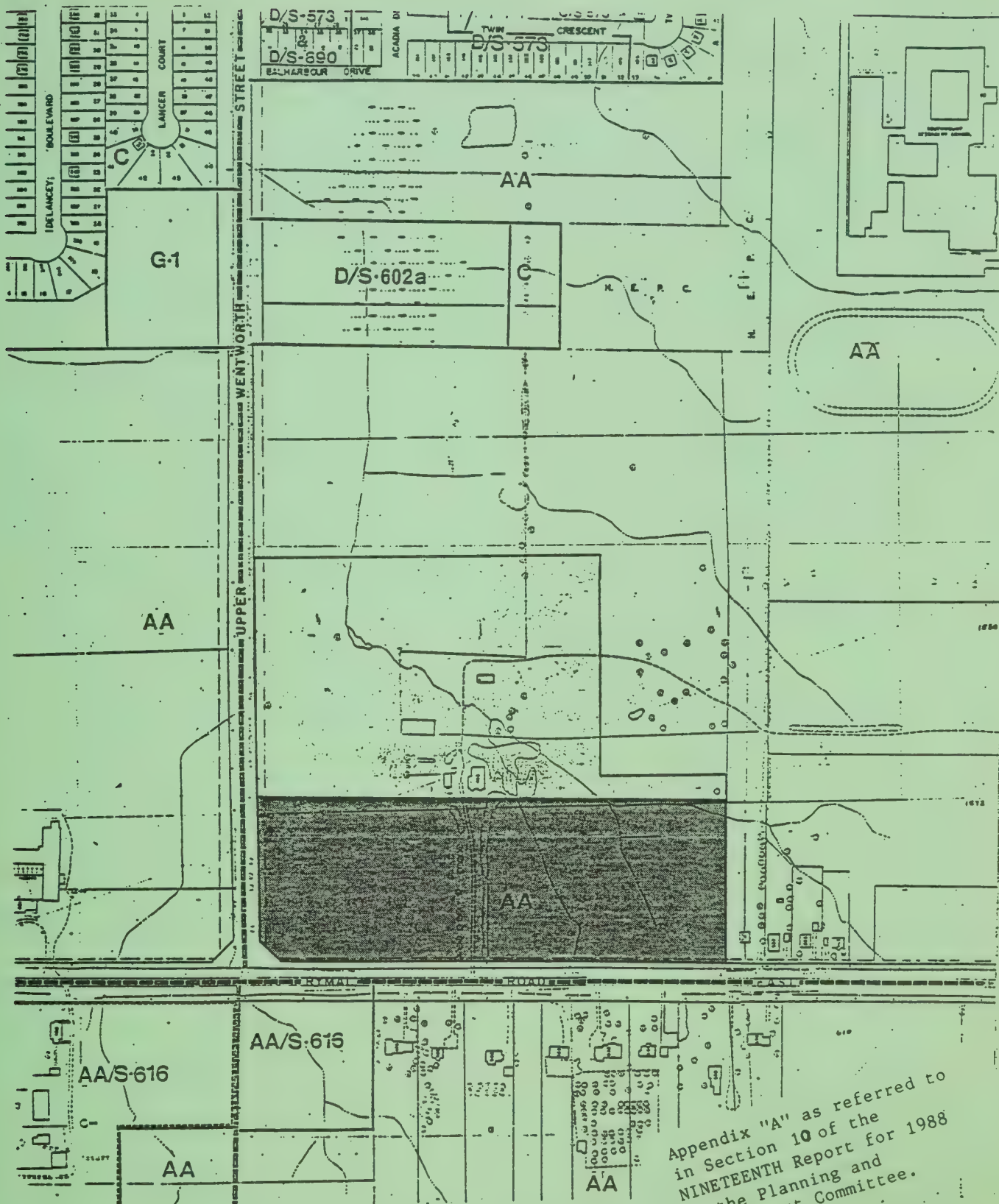
Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

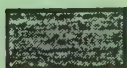
Susan K. Reeder  
Secretary  
1988 September 14







# LEGEND



SITE OF THE APPLICATION

D-12

Appendix "A" as referred to  
in Section 10 of the  
NINETEENTH Report for 1988  
of the Planning and  
Development Committee.



APPENDIX A

E





NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

Appendix "B" as referred to in  
Section 11 of the NINETEENTH  
Report for 1988 of the  
Planning and Development  
Committee.

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON

SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 88-  
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend



CHANGE IN ZONING FROM "J" (LIGHT  
AND LIMITED HEAVY INDUSTRY, ETC.)  
DISTRICT, MODIFIED TO "DE-3" - "H"  
(MULTIPLE DWELLINGS) DISTRICT,  
MODIFIED.

North



Scale  
NOT TO SCALE

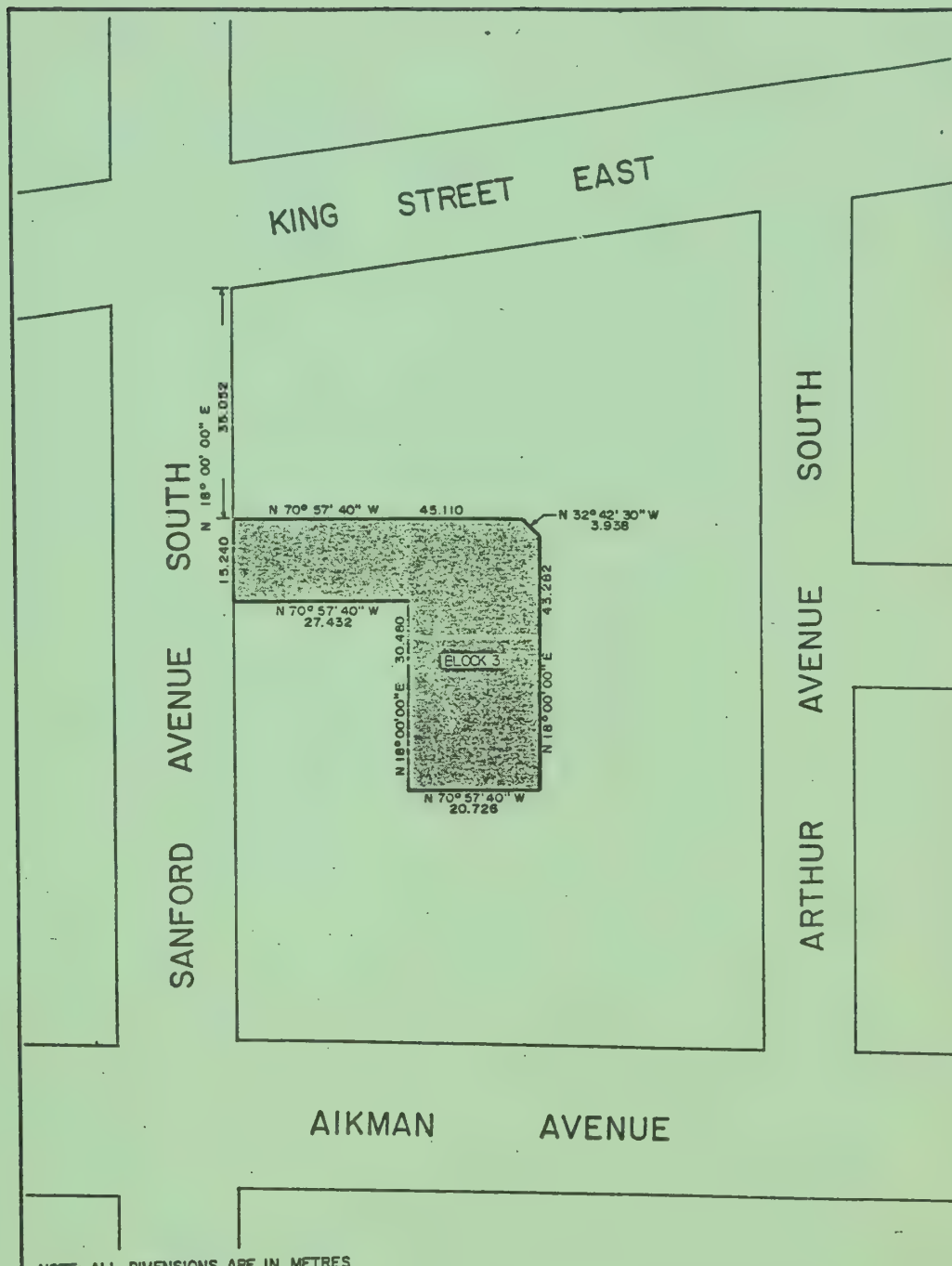
Date  
SEPT. 1988

Reference File No.  
ZA 88-07

Drawn By  
Z. K.







NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A-1" TO BY-LAW NO. 88-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

Appendix "C" as referred to  
in Section 11 of the  
NINETEENTH Report for 1988  
of the Planning and  
Development Committee.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A-1"**  
**MAP FORMING PART OF**  
**BY-LAW NO. 88-**  
**TO AMEND BY-LAW NO. 6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED  
BY BY-LAW NO. 88-

North



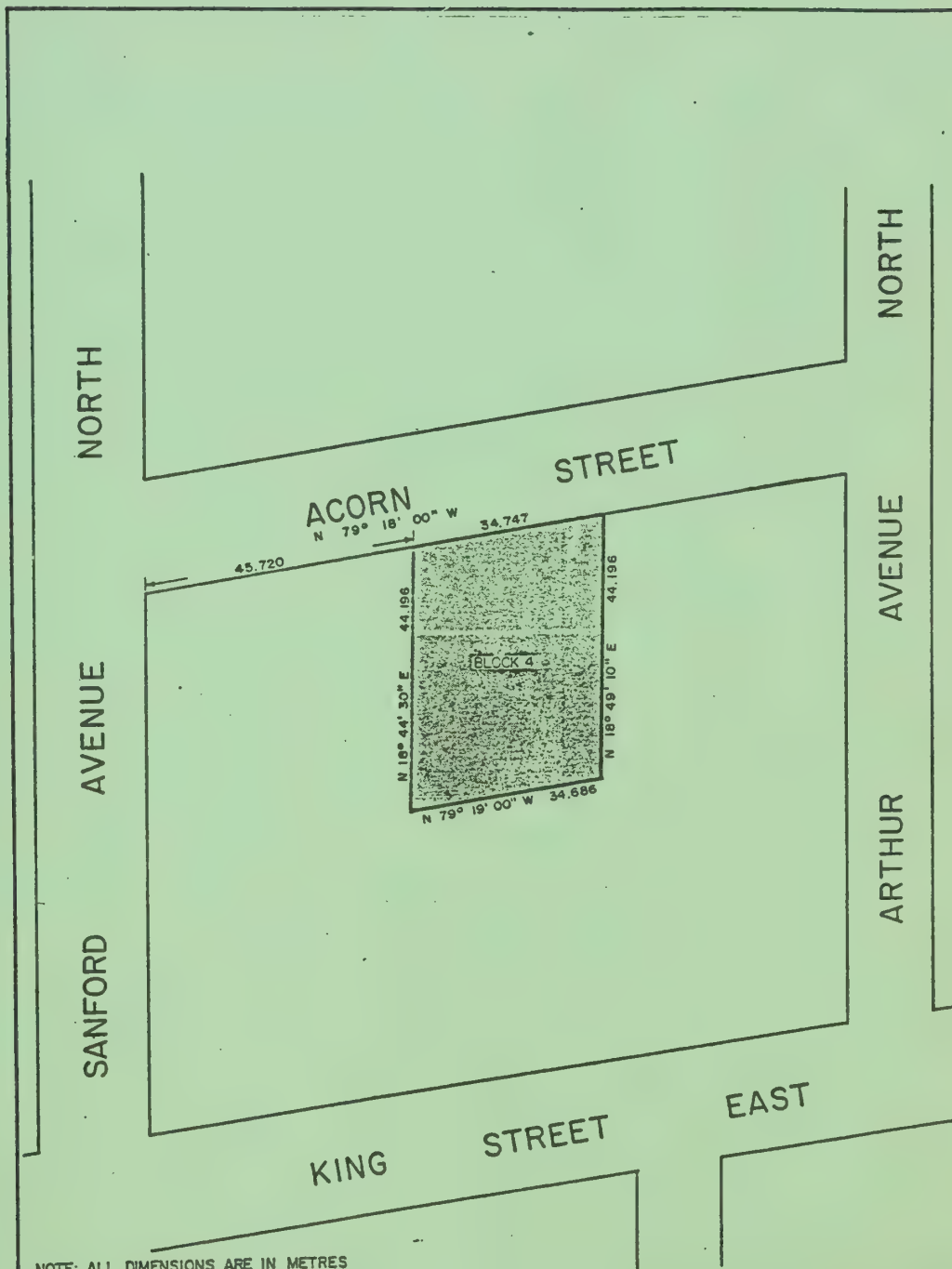
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NOT TO SCALE

Reference File No.  
ZA 88-07

Date  
SEPT. 1988

Drawn By  
Z. K.





NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A-2" TO BY-LAW NO. 88 -  
 PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

Appendix "D" as referred to  
 in Section 11 of the  
 NINETEENTH Report for 1988  
 of the Planning and  
 Development Committee.

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

### CITY OF HAMILTON

SCHEDULE "A-2"  
 MAP FORMING PART OF  
 BY-LAW NO. 88-  
 TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

#### Legend

 LANDS TO BE REGULATED  
 BY BY-LAW NO. 88-

North  


Scale  
 NOT TO SCALE

Reference File No.  
 ZA 88-07

Date  
 SEPT. 1988

Drawn By  
 Z.K.









## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its TENTH Report for 1988 and respectfully recommends:

1. That approval be given to the revised guidelines of the Hamilton Status of Women Sub-Committee attached hereto as APPENDIX "A".
2. That approval be given to the following recommendations for the implementation of a City-wide Nuisance Wildlife Program.
  - (a) That the City of Hamilton employ the services of Licenced Trappers, under the direction of the Ontario Trappers Association, for the purpose of the local destruction of skunk denning sites, during the months of November through March of each year.
  - (b) That the Hamilton SPCA be responsible for monitoring the conduct of the program, and authorize invoices for services prior to their submission to the City of Hamilton for payment.
  - (c) That the methods utilized for den destruction meet with the approval of the Hamilton SPCA, as being humane.
  - (d) That such a program be instituted commencing November 1988 and be continued on an annual basis thereafter.
  - (e) That the program be carried out on a City-wide basis with concentration in those areas adjacent to residential areas reporting a high incidence of nuisance and destruction.
  - (f) That an amount of \$49 000 be included by the City of Hamilton in the 1989 operating budget of the Hamilton SPCA in order to commence and implement this program for the months of November and December 1988 and to carry out the program in the year 1989 and that this budget allocation be specifically earmarked for the Nuisance Wildlife Program.
  - (g) That the City of Hamilton consider programs of habitat clean up on an annual basis, in order that wildlife not be encouraged to den in those areas adjacent to residential housing - brush removal, garbage and litter removal.

3. That approval be given to the following policy to govern and regulate the installation of commemorative and memorial plaques inside City Hall.
- (a) That the installation of all commemorative and memorial plaques in City Hall shall be subject to the consideration and recommendation of the Legislation Committee and approval of City Council.
  - (b) That each application to install a plaque shall be considered on its own merits.
  - (c) That the size of the plaques shall be approved in accordance with the policy contained in Section 21 of the Sixth Report of the Legislation Committee namely, 18" x 12" (45.72 cm x 38.48 cm) adopted by City Council 1985 April 09.
  - (d) That the quality of materials used therein shall be subject to the approval of the Legislation Committee and City Council to ensure that is compatible with and compliments City Hall facilities. The Director of Property shall prepare a report in this regard for the Committee's consideration.
  - (e) That the wording to be contained on any plaque shall be approved by the Legislation Committee and City Council.
  - (f) That the applicant shall be responsible for the cost of the plaque as well as the being legally responsible for research and historical accuracy of the plaque inscription.
  - (g) That the City shall always retain the right to relocate any plaque to another location in the event the City requires the space or area for other municipal purposes at sometime in the future.
4. (a) That, in accordance with City Council policy, approval be given to the request of the Hamilton Estonian Society, the Hamilton Latvian Society and the Lithuanian Community in Canada (Baltic Committee) for permission to erect a plaque on the designated wall panel, second floor of City Hall in memory of the one million Baltic citizens who were deported to Siberian slave camps following the Soviet occupation of the Baltic States in 1941 and the subsequent years.
- (b) That the wording to be contained on the plaque with the historical emblems of the free Baltic States attached hereto as APPENDIX "B", BE APPROVED.



5. That approval be given to the following policy to govern and regulate the installation of commemorative plaques, memorials, monuments, time capsules and trees upon the grounds outside City Hall.

- (a) That the installation and location of commemorative plaques, memorials, monuments, time capsules, and trees upon the grounds of City Hall shall be subject to the consideration and recommendation of the Legislation Committee and approval of City Council.
- (b) That each application be considered on its own merits with the view to examining and identifying the impact and importance of significant contributions made to the overall growth and development of the City of Hamilton by the organization or group.
- (c) That the design and quality of materials used in any structure shall be subject to the approval of the Legislation Committee and City Council. The Director of Property shall prepare a report for the Legislation Committee on each application commenting on the aesthetics of the exterior appearance of any structure to ensure that it does not detract from the grounds of City Hall.
- (d) That the cost of materials and labour to supply and install any structure or plant the tree(s) shall be the responsibility of the organization or group.
- (e) That the City will attempt to accommodate the Donor with the choice of the tree(s) where the species is available and where the climate and growing conditions are appropriate for such species.
- (f) That the cost of any replacement plaque etc. as the result of vandalism or theft shall be the responsibility of the organization or group.
- (g) That the wording to be contained on any plaque shall be approved by the Legislation Committee and City Council.
- (h) That an agreement be entered into between the City and the applicant with respect to the actual entry upon City lands, construction of the plaque, monument, memorial, time capsule, or tree planting and its continued presence on the site.
- (i) That the City always retain the right to relocate the plaque, monument, memorial, time capsule or tree to another location in the event the City requires the land for other municipal purposes at the same time in the future.

- (j) That plaques, monuments, etc. shall not be attached to the exterior surface of the City Hall building.
  - (k) That the City Solicitor be directed to prepare an agreement between the City and organization covering the proposal.
- 
- 6. That approval be given to the request of the Sisters of St. Joseph of the Diocese of Hamilton, owners and operators of St. Joseph's Hospital in Hamilton to include the name "Hamilton" in the name of the proposed corporation being formed for the operation of St. Joseph's Hospital.
  - 7. That approval be given to the request of the Sexual Assault Centre, Hamilton and Area to use the City Hall forecourt on Thursday, 1988 September 22 from 7:15 p.m. to 8:15 p.m. for the purpose of staging a brief rally and starting their annual "Take Back the Night" walk.
  - 8. That approval be given to the request of the Emergency Shelter Foundation of Hamilton-Wentworth to use the City Hall forecourt or in the event of inclement weather, the Second Floor lobby area of City Hall from 9:00 o'clock a.m. to 4:00 o'clock p.m. on Saturday, 1988 October 15 for the purpose of staging an Aerobithon in conjunction with one of their fund raising events.
  - 9. That approval be given to the request of The Alliance of the Hamilton Lawyer's Club to display a painting for a period of two weeks in the City Hall foyer entitled "South Gore, Hamilton (circa 1916)" in connection with a fund raising program for the Hamilton Integrated Living Program and the Hamilton Wentworth Head Injuries Association.
  - 10. That approval be given to the request of the Hamilton Hockey Council to use the City Hall Council Chambers on Wednesday, 1988 September 28 at 7:30 o'clock p.m. for their annual general meeting.
  - 11. That approval be given to the request of the Family Services of Hamilton-Wentworth and Catholic Family Services who are local sponsors of National Family Week to display some school art work on the theme "What The Family Means To Me" in the City Hall foyer area from Monday, 1988 October 03 to Friday, 1988 October 07.

12. That approval be given to the request of CKOC/CKLH-FM to use an area on the second floor of City Hall, satisfactory to the City Clerk, as a broadcast location for the upcoming Municipal Election.

13. (a) That the north wall on the second floor of City Hall, east of the Mayor's office be reserved for military regalia presented to the City of Hamilton.
- (b) That a panel of matching wood be installed featuring the regimental crest of the following 13 local units which have been presented to the City:

Argyll and Sutherland Highlanders of Canada

Royal Hamilton Light Infantry (Wentworth Regiment)

Lincoln and Welland Regiment

Lorne Scots (Peel, Dufferin and Halton Regiment)

11th Field Artillery Regiment

23 (Hamilton) Service Battalion

23 (Hamilton) Medical Company

705 Communications Squadron

HMCS Star

Central Recruiting Zone

Regular Support Staff Hamilton Militia District

Canadian Forces Base Toronto

Headquarters Hamilton Militia District

14. (a) That the City host a delegation of 20 representatives of our twin City Fukuyama, Japan including Mayor Mikio Makimoto during their visit from Sunday, 1988 October 02 to Tuesday, 1988 October 04.
- (b) That funding for this event not exceed \$4 600 and be charged to Account No. 0373-1003 - Special Civic Receptions and Delegate Hostings.



15. (a) That the Director of Property be authorized and directed to undertake improvements to space in the basement level of City Hall at an estimated cost of \$13 860 in order to create a smoking room.
- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.
16. That the proposal to share City of Hamilton Legislative Support Services costs with the Regional Municipality of Hamilton-Wentworth not be proceed with at this time.
17. That the following resolutions BE ENDORSED.
- (a) City of Windsor
- "WHEREAS the United States Corporation of Engineers have mentioned the diversion of Great Lakes' water into the Mississippi River System thus lowering the water level of all Great Lakes;
- WHEREAS the City of Windsor and its seaway port would be affected by any drop in its water level and therefore the economy of Windsor would be jeopardized and other ports of the Great Lakes and the St. Lawrence would be similarly affected;
- THEREFORE the City of Windsor is in opposition to any diversion of the Great Lakes' waters to the Mississippi River System; and a copy of this resolution be circulated to the Federal and Provincial Governments and other Canadian Municipalities bordering the St. Lawrence Seaway System."
- (b) City of Chatham
- WHEREAS the Federal Government, as represented by The Minister of National Health and Welfare, is responsible for recommending legislation for the proper disclosure of ingredients contained in packaged and/or prepared foods sold in Canada.
- AND WHEREAS many persons have died of Anaphylactic Shock caused by their unknowingly eating food which contained ingredients to which they were allergic.
- AND WHEREAS it is desirable to protect the public against such dangers and to reduce the number of deaths caused by Anaphylactic Shock.



BE IT THEREFORE RESOLVED by The Municipal Council of The Corporation of the City of Chatham as follows:

That the Honourable Jake Epp, Minister of National Health and Welfare be petitioned to use his good offices to convince his colleagues in caucus that legislation should be enacted requiring that all food sold in fast food outlets, restaurants and catering services contain labels listing all ingredients contained in the food being offered for sale.

AND FURTHER that this Resolution be circulated to Ontario municipalities with a population of 10 000 or more requesting that they forward their notification of support to the Minister of National Health and Welfare and local Members of Parliament.

18. That the City of Hamilton join and become a member of Amnesty International.

Note: Amnesty International is a worldwide movement which is independent of any government, political grouping, ideology, economic interest or religious creed. It plays a specific role within the overall spectrum of human rights work. The activities of the organization focus strictly on prisoners:

- It seeks the release of men and women detained anywhere for their beliefs, colour, sex, ethnic origin, language or religion, provided they have not used or advocated violence. These are termed "prisoners of conscience".
- It advocates fair and early trials for all political prisoners and works on behalf of such persons detained without charge or without trial.
- It opposes the death penalty and torture or other cruel, inhuman or degrading treatment or punishment of all prisoners without reservation.

19. That the following resolution of Amnesty International dealing with the "Human Rights Now Campaign", BE ENDORSED.

WHEREAS all human beings are born free and equal in dignity and rights, and this is the historic promise of the universal Declaration of Human Rights proclaimed by governments of the United Nations 40 years ago; and

WHEREAS in many countries even the right to speak out in defence of human rights is being crushed, and thousands of people have been jailed and tortured for demanding and exercising their rights; and

WHEREAS Amnesty International, the recipient of the 1977 Nobel Peace Prize, has launched a "Human Rights Now Campaign" to celebrate the 40th anniversary of the adoption by the United Nations of the universal Declaration of Human Rights; and

WHEREAS the aims of the "Human Rights Now Campaign" are to raise the level of awareness around the world about the rights that every person should enjoy, to demonstrate that everyone can be involved in demanding that governments respect those rights, to focus attention on those human rights activists who become victims of human rights abuses, and to encourage every government to strengthen its domestic and international protection of human rights;

THEREFORE BE IT RESOLVED that the City of Hamilton endorse the "Human Rights Now Campaign".

20. (a) That a letter be forwarded to the National Transportation Agency advising that the City of Hamilton is opposed to the application of Via Rail for permission to terminate the overnight Ottawa/Toronto train service in late October.  
  
(b) That a copy of this resolution be forwarded to Via Rail Canada Inc.
21. That civic awards be made to the members of the Hamilton Amateur Wrestling Club who recently won the Canadian Junior and Senior Championships in various classes as outlined in a letter from the President of the Club dated 1988 July 12.
22. That civic awards be made to the members of the Hamilton Transway Mini, Bantam and Premier Girls Basketball teams in recognition of winning the Provincial and International Basketball Championships.

23.

That approval be given to the actions of the Legislation Committee in authorizing the following:

- (a) Advising the Liquor Licence Board of Ontario that the City of Hamilton had no objection to the issuance of a special occasion permit to the following organizations:
  - (i) The Hamilton Portuguese Band on the occasion of their festivities which were held 1988 September 03 to September 04.
  - (ii) The Greek Canadian Orthodox Church and Community, 233 East 15th Street at Brucedale on the occasion of their annual Grecian Festival which was held 1988 August 12 to August 14.
- (b) Use of City Hall facilities by the following organizations:
  - (i) Forecourt by the Lusíadas Cultural and Sports Club for a proclamation ceremony and to fly the flags of the Azores and Portugal in celebration of Azores Anniversary Day on Saturday, 1988 September 03 from 11:00 a.m. to 11:30 a.m..
  - (ii) Forecourt by the Arthritis Society for a flag raising ceremony on Wednesday, 1988 September 07 at 3:30 p.m. to launch their annual fund raising campaign.
  - (iii) Forecourt by the "Hamilton Right to Life" and Christians for Life" for a rally on Wednesday, 1988 September 07 from 5:30 p.m. to 6:00 p.m.
  - (iv) Council Chambers by the Italian-Canadian National Congress - Hamilton District and the Festitalia Organization for a ceremony to symbolically open the documentary exhibit "Christopher Columbus of Genoese" and providing a reception in the form of light refreshments for approximately 40 guests on Friday, 1988 September 16.
  - (v) Forecourt by the Sexual Assault Centre, Hamilton and Area for a rally and to start their annual "Take Back the Night" walk on 1988 September 22 from 7:15 o'clock p.m. to 8:15 o'clock p.m.

21. That leave be granted to introduce the following Bill:

Bill E-14 A By-law to Amend Health By-law No. 4798  
Respecting Noise.

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

John Thompson, Secretary  
1988 September 19

mjlw



## GUIDELINES FOR THE HAMILTON STATUS OF WOMEN SUB-COMMITTEE

### 1. CHAIRPERSON

To be elected for a term of one year by the members of the Hamilton Status of Women Sub-Committee. The term will commence with the first meeting in March of each year.

#### ORDER OF BUSINESS

Quorum - will consist of 50% of the Sub-Committee members, plus one, in good standing.

Order of Business to be governed by Parliamentary Procedures as designed by Bourinot's Rules of Order.

The Chairperson is the only person who officially speaks for the Hamilton Status of Women Sub-Committee in the community, unless another member be deputized to speak in the Chairperson's place.

The Chairperson will routinely refrain from voting on a question, unless a tie has taken place.

The Chairperson will be an ex-officio member of all Committees.

### 2. VICE-CHAIRPERSON

One of the two Aldermen appointed to the Sub-Committee will be elected for a one year term to correspond to that of the Chairperson.

### 3. TENURE ON THE HAMILTON STATUS OF WOMEN SUB-COMMITTEE

Tenure on the Hamilton Status of Women Sub-Committee for a member in "good standing"\*will be for a three year period to correspond to that of the elected municipal Council. The maximum length of an appointment will be two appointments for a total of six years, unless serving as an Executive Committee member.

#### \*Member in "good standing":

- (a) Attendance. If three meetings in sequence are missed without exceptional reason, the Hamilton Status of Women Sub-Committee appointment must be questioned. If over 50% of meetings are missed (Committee and Standing Committee), the member would be expected to resign at the end of that year ending April 1st.

APPENDIX "A" as referred to in  
Section 1 of the Tenth Report  
of the Legislation Committee

Guidelines for the Hamilton Status of Women Sub-Committee

.... 2

- (b) Responsibility. The member must adhere to the Hamilton Status of Women Sub-Committee guidelines.
- (c) Considered acceptable for appointment by the Legislation Committee and Council.

4. POSITION DESCRIPTIONS(i) CHAIRPERSON

To represent the Sub-Committee in the community and must be the only spokesperson for the Sub-Committee, unless another member is deputized.

Prepares the Agenda while working with the Sub-Committee Secretary and Executive Committee and is responsible for the day-to-day business for the Sub-Committee.

The Chairperson will call regular meetings of the Executive Committee.

General Duties of a Chairperson

1. Plan Agenda.
2. Work closely with Executive Committee.
3. Open and close meetings.
4. Give rulings on points of order.
5. Guide discussion and ensure that motions are moved and seconded.

(ii) VICE-CHAIRPERSON

Will be part of the Executive Committee and will be ready to deputize for the Chairperson and report to the Legislation Committee whenever necessary.

(iii) PAST CHAIRPERSON

Will be part of the Executive Committee and will be Nominating Chairperson for the Executive Committee elections. The Nominating Committee will consist of the Nominating Chairperson and two volunteer members of the Sub-Committee.

Guidelines for the Hamilton Status of Women Sub-Committee

(iv) EXECUTIVE COMMITTEE

Will consist of the Chairperson, the Past Chairperson, the Vice-Chairperson, the Standing Committee Chairpersons and an Executive Member at Large - to be filled by a member in their first year.

This Executive will strive to streamline the Agenda material and provide the necessary research data so that the Sub-Committee as a whole has the necessary information base needed for an educated judgement. All decisions must be brought to the Hamilton Status of Women Sub-Committee, however when expediency is a factor, the Executive Committee is empowered to act on behalf of the full Sub-Committee but that every reasonable effort be made to telephone the members of the Sub-Committee prior to the Executive Committee taking action to ensure approval of a majority of the Sub-Committee.

(v) STANDING COMMITTEES

The Standing Committee Chairpersons will be elected by the Sub-Committee and will be consulted on a regular basis.

The Standing Committee Chairpersons will also hold office for one year, hold regular meetings, and will report to the Executive Committee and to the Hamilton Status of Women Sub-Committee.

5. STANDING COMMITTEES FOR THE HAMILTON STATUS OF WOMEN SUB-COMMITTEE

(a) Women in the Workplace

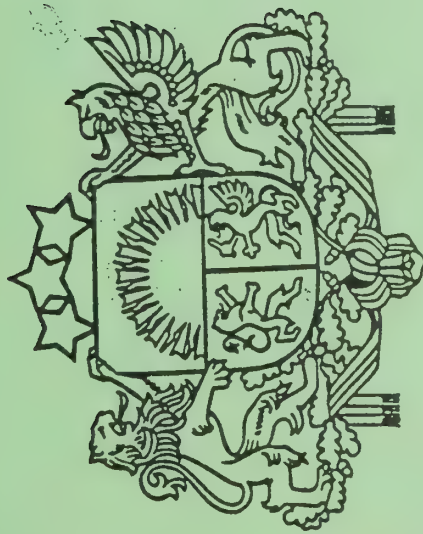
- Affirmative Action and Employment Equity
- Sexual Harassment
- Education
- Labour Legislation
- Child Care
- etc.

(b) Women in Society

- Networking
- Health Care
- Political Awareness Seminars
- Liaison with other Committees and Groups
- Pornography, Domestic Violence and Family Law
- etc.







THE CANADIAN CITIZENS OF BALTIC ORIGIN - ESTONIANS, LATVIANS AND LITHUANIANS CELEBRATING THE 70TH ANNIVERSARY OF THE INDEPENDENCE OF THEIR BIRTH-COUNTRIES - DEDICATE THIS PLAQUE IN MEMORY OF OVER ONE MILLION BALTIC CITIZENS DEPORTED TO SIBERIAN SLAVE CAMPS DURING THE SOVIET OCCUPATION OF THE INDEPENDENT ESTONIA, LATVIA AND LITHUANIA. THE MASS DEPORTATIONS BEGAN IN 1941 DURING SOVIET COLLABORATION WITH NAZI GERMANY ACCORDING TO STALIN-HITLER PACT. FURTHER DEPORTATIONS FOLLOWED IN 1949, AND THE SUBSEQUENT YEARS. THE VICTIMS OF MASS DEPORTATIONS - MEN, WOMEN AND CHILDREN - DIED OF FROST, HUNGER AND DISEASES UNDER MOST INHUMAN CONDITIONS.

THE PLANNED GENOCIDE OF THE BALTIC PEOPLE BY THE SOVIET GOVERNMENT, DESTRUCTION OF THEIR CULTURES AND FORCED COLONIZATION OF THE BALTIC COUNTRIES WITH RUSSIAN MASSES IS IN DIRECT VIOLATION OF THE UNITED NATIONS HUMAN RIGHTS CHARTER AND THE INTERNATIONAL ANTI-GENOCIDE COVENANT. IT MUST NOT HAPPEN WITH THE KNOWLEDGE OF THE CIVILIZED WORLD!

ESTONIAN, LATVIAN, LITHUANIAN SOCIETIES IN HAMILTON.

1988

APPENDIX "B" as referred to in  
Section 4 (b) of the TENTH  
Report of the Legislation Committee









REPORT OF THE PERSONNEL COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its ELEVENTH Report for 1988 and respectfully recommends:

1. That the position of Supervisor, Driver Safety in the Public Works Department be categorized in the non-union pay schedule of "L" with an annual Salary Range from \$34 886.28 to \$41 081.04.
2. That the position of Manager, Central Garage in the Public Works Department be categorized in the non-union pay schedule of "G" with an annual Salary Range from \$49 884.12 to \$58 795.88.
3. That the Appointments to and Terminations from both Permanent Positions with The Corporation of the City of Hamilton to 1988 September 9, attached hereto as Schedule "A", BE APPROVED".
4. That all Declarations of Appointed Office be administered at a public meeting of City Council.

RESPECTFULLY SUBMITTED

ALDERMAN M. KISS  
CHAIRPERSON  
PERSONNEL COMMITTEE

1988 September 21  
Susan K. Reeder, Secretary  
att.  
/dg



**Schedule "A" as referred to in  
Section 3 of the Eleventh Report  
for 1988 of the Personnel Committee**

THE CORPORATION OF THE CITY OF HAMILTON APPOINTMENTS TO PERMANENT POSITIONS						
<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Judy Berestecki	By-Law Enforcement Constable (B-5)	Traffic	replacing Mr. G. Henderson - retired	\$435.67 to \$509.81	\$435.67 per week (1 of 5)	August 29, 1988
Mr. David Bilyard	General Foreman (Sanitation) (L-3)	Public Works	replacing Mr. D. Duncan - promoted	\$34,886.28 to \$41,081.04	\$36,299.12 per annum (2 of 5)	August 22, 1988
Mr. Thomas A. Bradbury	Assistant Supervisor, Taxation-Reality (L)	Treasury	replacing Mr. R. Holland - promoted	\$34,886.28 to \$41,081.04	\$34,886.28 per annum (1 of 5)	August 29, 1988
Ms. Dianne G. Dittmer	Typist Clerk II (E-2)	Traffic	replacing Ms. C. Alletto - promoted	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	August 29, 1988
Mr. Richard W. Galwey	Maintenance Assistant (6)	Convention Centre (division of H.E.C.F.I.)	additional staff - approved by H.E.C.F.I. Board of Directors July 15, 1988	\$18,149.56	\$18,149.56	August 15, 1988
Mr. Joseph A. Guerretta	Traffic Serviceman II (A-3)	Traffic	replacing Mr. M. Ormond - resigned	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	August 15, 1988
Mr. Ronald G. Heemskerck	Asphalt Paker (D-9)	Public Works	replacing Mr. J. Galati - returned to former position	\$12,192 to \$12,392	\$12,192 per hour (1 of 2)	August 08, 1988

Prepared 09 September 1988

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Sandra J. Johnson	Stenographer III (E-3)	Building	additional staff - approved by City Council Feb. 29/88	\$361.95 to \$391.04	\$361.95 per week (1 of 3)	August 22, 1988
Ms. Linda M. Kurlyuk	Programmer I (A-17)	Treasury	replacing Mr. R. Hrynuk - promoted	\$707.82 to \$845.62	\$765.61 per week (3 of 5)	June 20, 1988
Mr. Michael Leroux	Motor Mechanic (D-17)	Central Garage (division of Public Works)	replacing Mr. T. Assenza - resigned	\$14,523 to \$14,723	\$14,723 per hour (2 of 2)	August 15, 1988
Ms. Susanne Markle	Records Clerk (E-4)	City Clerk's	replacing Ms. M. Gould - promoted	\$397.31 to \$425.83	\$397.31 per week (1 of 3)	August 29, 1988
Ms. Paula T. Mason	By-Law Enforcement Constable (B-5)	Traffic	replacing Mr. G. Henderson - retired	\$435.67 to \$509.81	\$450.49 per week (2 of 5)	August 15, 1988
Ms. Linda Paterson	Counter Clerk (A-3)	Building	replacing Mr. D. Morrow - promoted	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	August 15, 1988
Mr. Frank E. Peter	Counter Clerk (A-3)	Building	replacing Mr. S. Teal - promoted	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	August 15, 1988
Mr. George Robls	Draftsman III (A-3)	Building	replacing Ms. M. German - promoted	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	August 15, 1988

Prepared 09 September 1988

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Sandra Bourque	Stenographer III	Building	Resigned	2 years, 4 months	August 10, 1988
Mr. George Falla	Signal Repairman II	Traffic	Terminated	7 years, 1 month	July 15, 1988
Mr. Ward Howard	Clerk Investigator	Traffic	Retired	16 years, 5 months	August 31, 1988
Mr. John A. Redding	District Chief	Fire	Retired	34 years, 5 months	September 4, 1988
Mr. Ray Young	Programmer II	Information Systems (division of Treasury)	Resigned	1 year, 2 months	September 2, 1988





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G



## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its FOURTEENTH Report and respectfully recommends:

1. That a purchase order be issued to Riddell Roofing & Sheet Metal, Hamilton, in the amount of \$23 780 to replace the roof at Kenilworth Police Station in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

Note: Lowest acceptable of four (4) quotations received. Funds provided in Major Maintenance Account No. 0408-E85366.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy which states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

2. That a purchase order be issued to Foam-Teck Research Ltd. Oakville, in the amount of \$15 222.75 to replace the ceiling at Dalewood Recreation Centre in accordance with Vendor's quotation.

Note: Lowest of three (3) quotations received. Funds provided in Repairs and Maintenance Account No. 0328-6636 (\$5 000) and Replace Ceiling, Dalewood Recreation Centre Account No. 0408-E45015 (\$9 722.75).

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy which states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. That a purchase order be issued to Henderson Recreation Equipment Limited, Norwich in the amount of \$13 657.97 to supply and install bleachers at Scott Park Arena, in accordance with Vendor's quotation.

Note: Lowest of three (3) quotations received. Funds provided in Reserve for Major Repairs Account No. 0280-20.

4. That a purchase order be issued to Ward Electric Ltd., Hamilton, in the amount of \$12 300 for 400 amp main service electrical installation at Eastwood Arena in accordance with Vendor's quotation.

Note: Lowest of six (6) quotations received. Funds provided in Eastwood Arena (Major Maintenance, Civic Buildings) Account No. 0408-E85365.

5. That a purchase order be issued to T.T. & P. Design Consultants and General Contracting Inc., Whitby, Ontario for the supply of all labour and materials for the installation of a clay liner and necessary chimney repairs at Dundurn Castle as per proposal forms issued by the Manager of Purchasing and Vendor's Response for the following amount \$14 054.32 including all charges.

Note: Lowest of two (2) responses received. Funds provided in 0408 E8564-5 1988 Major Maintenance to Buildings Account.

6. That the City not pursue its claims for heat supplied during the construction of Phase 2 of the sewage treatment plant and for costs paid into Court regarding Cipriani vs. the City of Hamilton.

Note: The claims of the City of \$16 500 for heat supplied and costs paid into Court were assumed by the Regional Municipality of Hamilton-Wentworth as a liability upon its takeover of the sewage treatment plant in 1974.

7. That a minimum pension payable of either \$7 000 or \$9 000 per annum not be implemented for the Hamilton Municipal Retirement Fund.

Note: A costing by the Actuaries of the Hamilton Municipal Retirement Fund was obtained on the request of the Hamilton Municipal Retirement Fund Sub-Committee to increase pensions to a minimum of either \$7 000 or \$9 000 per annum. The Hamilton Municipal Retirement Fund Sub-Committee approved the above recommendation at their meeting of 1988 August 23.

8. That, commencing 1989, any increases awarded Hamilton Municipal Retirement Fund pensioners be the greater of the percentage increase or the service method calculated at \$1 x the number of years of service (to a maximum of 35) x the number of years on pension.

Note: In 1982, City Council approved a resolution whereby any increases awarded by OMERS would also be granted to Hamilton Municipal Retirement Fund pensioners. In addition, the Hamilton Municipal Retirement Fund Sub-Committee in 1981 and 1986 awarded the greater of the percentage increase awarded by OMERS or the service method (\$1 x the number of years service x the number of years on pension). The service method will assist those pensioners with small pensions who have been retired a number of years.



The above recommendation was approved by the Hamilton Municipal Retirement Fund Sub-Committee at their meeting of 1988 August 23.

9. That the .7% Canada Pension Reduction for the remaining active Hamilton Municipal Retirement Fund "Others" be deferred until age 65 when early retirement is elected.

Note: This recommendation was approved by the Hamilton Municipal Retirement Fund Sub-Committee at their meeting of 1988 August 23.

10. That the purchase of War Service be allowed as credited pensionable service for Hamilton Municipal Retirement Fund Fire Fighters who are forced into early retirement due to disability and who would not otherwise be allowed to purchase War Service as credited pensionable service, provided that the employee applies for and is approved for a disability pension from the Hamilton Municipal Retirement Fund.

Note: The above recommendation was approved by the Hamilton Municipal Retirement Fund Sub-Committee at their meeting of 1988 August 23.

11. That the \$3 500 estimated requirement to finance the cost of School Crossing Guards at two intersections as approved by City Council 1988 August 30, be Sections 38 and 39 of the Twelfth Report of the Transport and Environment Committee, be funded from within the existing budget of the School Crossing Guards, on an overdraft basis if necessary.

12. That the estimated cost of \$13 860 to create a basement smoking room in City Hall be financed from the "Major Repairs and Improvements to City-owned properties" Reserve Account No. 0280-24.

Note: This item was approved by the Legislation Committee at its meeting on 1988 September 19.

13. (a) That the timetable for preparation and review of the 1989 Current Budget Estimates be as follows:

(i) Deadline for completed budget submissions to be returned to Treasury 1988 October 31;

- (ii) 1988 November 01 - December 31 - Treasury monitors, processes and assembles the budgets to ensure compliance of submissions with guidelines; Chief Administrative Officer review budgets with Department Heads and Managers of Local Boards; Treasury prepares the budgets for review by the Standing Committees;
  - (iii) 1989 January 24 - Finance Committee receives update on Current Budget status and includes an information session on the Current Budget with an invitation to all City Council members to attend;
  - (iv) 1989 February 01 - February 24 - Standing Committees review and approve their respective budgets which should include acceptance/rejection of service/program packages. This procedure to take place during their scheduled meetings or at special meetings called specifically for budgets;
  - (v) 1989 March 02 - Special Council meeting to rank Committee accepted service/program packages and to determine funding level if necessary;
  - (vi) 1989 March 21 - Finance Committee reviews and approves the final estimates and forwards a recommendation concerning the 1989 City mill rates to City Council;
  - (vii) 1989 March 28 - City Council approves the 1989 revenues and expenditures based on a calculated mill rate for City services only;
  - (viii) 1989 April 25 - City Council approves the by-laws establishing the 1989 mill rates for City, Regional and Educational purposes.
- (b) That the preparation of the Estimates (for each Department and Local Board) be done in a similar fashion as that used in 1988, such that budget documentation presented to the Standing Committees will include:
- (i) A transmittal letter briefly summarizing the Departmental/Local Board budget;
  - (ii) Summaries and line-by-line detail of expenditures and revenues;

- (iii) An introductory form to include purpose, objectives, three year plans and staffing requirements;
- (iv) Detailed information on travelling, additional staff requests, new equipment and other expenditure items as required;
- (v) Service/Program "packages" containing detailed information on all requests for "expansion" services, in Departmental/Local Board priority sequence;
- (vi) and other documentation that a Department/Local Board may wish to submit to their Standing Committee.

Respectfully Submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1988 September 20

mjlw



NOTICE OF MOTION





## NOTICE OF MOTION

Alderman D. Ross gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: That a letter be sent to the Minister of Housing informing her that the City of Hamilton would like clarification on the announcement made by the Minister re the 25% affordable housing, and said letter to include the following:

1. What is the Minister's definition of affordable housing?
2. Who is going to administer the legislation?
3. Who is going to pay for the implementation of the legislation?
4. What does 25% of all new housing mean?
5. What input, if any, will the municipalities have in regards to this legislation prior to having it passed into Law?
6. What did the Minister mean when she said that funds (what funds) would be withheld from any municipality that did not comply with the legislation?



BY-LAW NO. 88 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27th DAY OF September A.D., 1988.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1988

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 88 -

TO INCORPORATE BLOCK 71, PLAN 62M-465  
INTO TWIN CRESCENT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Twin Crescent by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Twin Crescent.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

(1988) 10 R.T.E.C. 21, June 28.



SCHEDULE "A"

Part of Parcel Reserves -1, Section 62M-465  
being Block 71 (1' Reserve), Plan 62M-465  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
Being part of the parcel

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 88 -

TO INCORPORATE BLOCK 70, PLAN 62M-465  
INTO ACADIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Acadia Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Acadia Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this            day of            A.D. 1988.

City Clerk

Mayor

(1988) 10 R.T.E.C. 21, June 28

SCHEDULE "A"

Part of Parcel Reserves -1, Section 62M-465  
being Block 70 (1' Reserve), Plan 62M-465  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
Being part of the parcel.

BY-LAW NO. 88 - 217

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following items, namely:-

"Sterling	Eastbound and Westbound	Haddon
Sterling	Eastbound and Westbound	Dalewood
Wexford	Northbound and Southbound	Maple
Graham	Northbound and Southbound	Maple".

PASSED THIS            DAY OF            , A.D. 198 .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

That:

- pursuant to Section 38 of the Regional Municipality of Hamilton-Wentworth Act, approval be granted to the City of Hamilton By-law Amendment No. 88-217 to amend By-law 66-100 to Regulate Traffic in the City of Hamilton; and
- the City of Hamilton be advised of the approval of the By-law.



## BY-LAW NO. 88 -

## TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 25 (Parking Time Limits) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding to Section 8 (Two Hour Limit) the following item, namely:-

"Bruceedale	South	commencing at a point 126 feet east of East 13th to a point 47 feet easterly".
-------------	-------	--

2. Schedule 25A (Parking Time Limits) is hereby amended by deleting from Section 5 (One Hour Limit) the following item, namely:-

"St. Andrews	East	St. Andrews (north leg) to Jennifer".
--------------	------	---------------------------------------

3. Schedule 26 (No Parking Areas) is hereby amended by adding thereto the following items, namely:-

"Proctor	West	commencing at a point 114 feet north of Dunsmore to a point 43 feet northerly
Balmoral	West	commencing at a point 141 feet south of Barton to a point 27 feet southerly
Herkimer	North	Queen to a point 75 feet west
Cambridge	South	Kenilworth to a point 50 feet west
Depew	East	Gertrude to southerly end
Depew	Both	C.N.R. tracks to northerly end".

and by deleting therefrom the following items, namely:-

"Balmoral	West	100 ft. south of Barton to 123 ft. southerly
Depew	East	End to End
Depew	West	Gertrude to northerly end
Herkimer	North	Queen to 55 ft. west".

4. Schedule 26A (No Parking Areas) is hereby amended by adding thereto the following sub-section, namely:-

"N. NO PARKING 9:00 a.m. - 12:00 noon (Monday to Friday) Except as varied by Schedule 26 Section A, Schedule 26A Sections A to M and Schedule 29.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
East 45th	West	Bruceedale to Kerr
Kerr	Both	East 44th to Greenmeadow".

5. Schedule 27A (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"Oakland                      North                      South".  
Kenora to the north/south  
leg of Oakland

PASSED THIS                      DAY OF                      , A.D. 198 .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

BY-LAW NO. 88 -

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following items, namely:-

"Pine	Eastbound	Pearl
Avondale	Northbound	Gertrude
Glenhaven	Northbound	Cranbrook
Skyview	Eastbound	Sundown
Chris	Northbound	Skyview
Horizon	Southbound	Skyview
Limeridge	Eastbound and Westbound	Upper Kenilworth".

2. Schedule 29 (No Stopping Areas) is hereby amended by adding thereto the following items, namely:-

"Bay	East	Markland to 90 feet southerly	Anytime
Barton	South	Ray to 72 feet westerly	Anytime
Depew	West	Gertrude to C.N.R. tracks	Anytime
Depew	East	Gertrude to 410 feet northerly	Anytime".

3. Schedule 30 (Commercial Vehicle Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Depew East 251 feet 410 feet north of Gertrude Anytime".

4. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following item, namely:-

"High	East	190 feet	205 feet north of the north	7:00 am -
			curb line of Bruceale	6:00 pm
				Monday to
				Saturday".

PASSED THIS DAY OF , A.D. 198 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS BEING PART OF  
MUNICIPAL NOS. 1515 AND 1523 UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, the land comprised in Block 1, and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

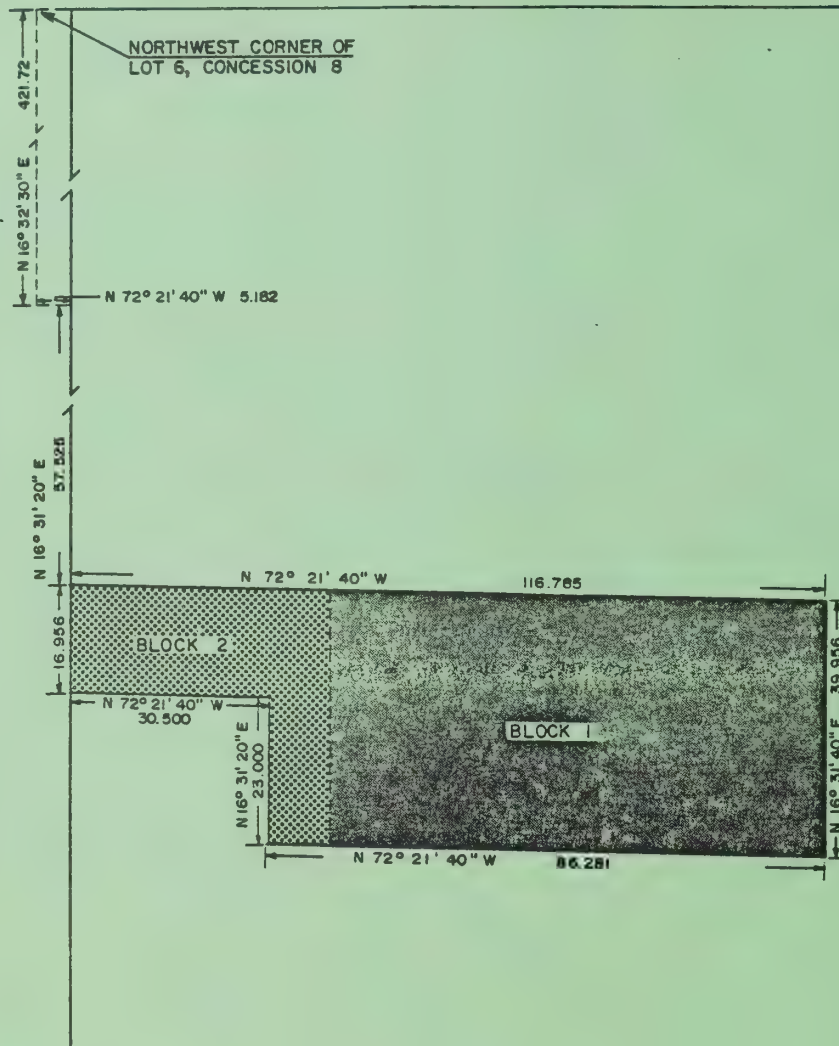
PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

# STONE CHURCH ROAD EAST

UPPER GAGE AVENUE



NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

## CITY OF HAMILTON SCHEDULE "A"



MAP FORMING PART OF  
BY-LAW N° 88-\_\_\_\_\_

TO AMEND BY-LAW N° 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

CHANGE IN ZONING FROM:

-  "AA" (AGRICULTURAL) DISTRICT TO "RT-20" (TOWNHOUSE-MAISONETTE) DISTRICT.
-  "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "RT-20" (TOWNHOUSE-MAISONETTE) DISTRICT.

North



Scale  
NOT TO SCALE

Date  
AUG. 1988

Reference File No.  
ZA88-30

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Adopt:

Official Plan Amendment No. 60

Respecting:

REAR PORTIONS OF THE LANDS  
KNOWN MUNICIPALLY AS 1375-1417 UPPER JAMES STREET  
WITHIN THE RYCKMANS NEIGHBOURHOOD

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 60 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

AMENDMENT NO. 60  
TO THE  
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with Schedules "A" and "B", attached hereto, constitute Official Plan Amendment No. 60.

PURPOSE

The purpose of this Amendment is to redesignate the subject lands from "Residential" and "Open Space" to "Commercial" and to extend the boundaries of "Special Policy Area 31" and "31b" to include the subject lands.

LOCATION

The lands affected by this amendment are the rear portions of the lands known municipally as 1375-1417 Upper James Street, within the Ryckmans Neighbourhood.

BASIS

The changes proposed by this Amendment reflect the commercial designations within the Approved Ryckmans Neighbourhood Plan and will provide the basis for the rezoning and development of the subject lands for commercial purposes.

ACTUAL CHANGES

1. Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Residential" and "Open Space" to "Commercial", as shown on the attached Schedule "A" of this Amendment.
2. Schedule "B" - Special Policy Areas of the Official Plan be revised by extending the boundaries of "Special-Policy Area 31" and "31b" to include the subject lands, as shown on the attached Schedule "B" of this Amendment.

IMPLEMENTATION

The provisions of Section D - Implementation, as amended, will apply to the implementation of this Amendment.

This is Schedule 1 to By-law No. 88-  
of , 1988. , passed on the day

The Corporation of the  
City of Hamilton

---

City Clerk

---

Mayor

CL-M:dkp

to the  
official plan  
for the  
city of harrilton

area to be changed from

### Methods to Convert

## Open Space in Downtown

## land use concept

**legend**



DEFERRED NO DUE  
UNDER SECTION 149(9)  
THE PLANNING ACT  
Lafayette Ontario

## schedule A

THE CITY OF NEW YORK

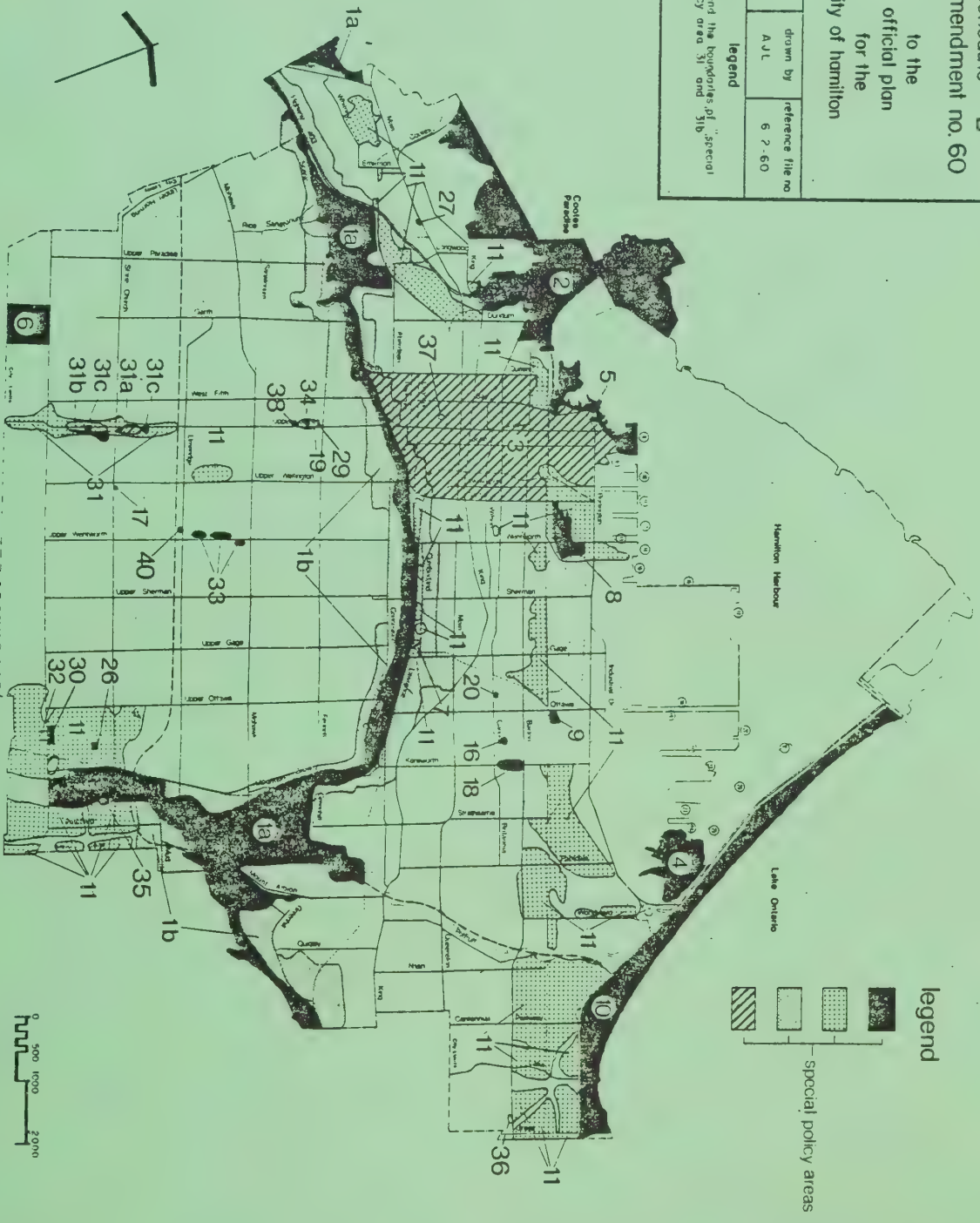


# schedule B amendment no. 60

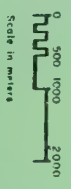
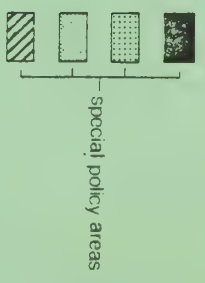
to the  
official plan  
for the  
city of hamilton

date	drawn by	reference file no
JULY 1988	A.J.L.	6 2-60

legend  
extend the boundaries of "special  
policy area 31" and 31b



## legend



## special policy areas

AREA	REFER TO POLICY
1(a)	A 29.1
1(b)	A 29.1
2	A 29.2
3	A 29.3
4	A 29.3.1
5	A 29.3.2
6	A 29.3.3
7	A 29.3.4
8	A 29.3.5
9	A 29.3.6
10	A 29.3.7
11	A 29.3.8
12	A 29.3.9
13	A 29.3.10
14	A 29.3.11
15	A 29.3.12
16	A 29.3.13
17	A 29.3.14
18	A 29.3.15
19	A 29.3.16
20	A 29.3.17
21	A 29.3.18
22	A 29.3.19
23	A 29.3.20
24	A 29.3.21
25	A 29.3.22
26	A 29.3.23
27	A 29.3.24
28	A 29.3.25
29	A 29.3.26
30	A 29.3.27
31(a)	A 29.3.28
31(b)	A 29.3.29
31(c)	A 29.3.30
32	A 29.3.31
33	A 29.3.32
34	A 29.3.33
35	A 29.3.34
36	A 29.3.35
37	A 29.3.36
38	A 29.3.37
39	A 29.3.38
40	A 29.3.39

## schedule B to the official plan, for the city of hamilton



The Corporation of the City of Hamilton

BY-LAW NO.88-

To Amend:

The Property Standards By-law No. 74-74

Respecting:

RETAINING WALLS

WHEREAS By-law No. 74-74, enacted by The Corporation of the City of Hamilton on the 30th day of April, 1974, in accordance with the Planning Act, R.S.O. 1970, c. 349, S. 36, as amended, [now S. 31 of the Planning Act, 1983, S.O. 1983, c. 1, as amended], to prescribe standards for maintenance and occupancy of property with the geographical boundaries of the City of Hamilton;

AND WHEREAS Sections 4 and 20 of The Property Standards By-law No. 74-74 prescribe standards for the maintenance of exterior structures, accessory buildings, and fences;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in enacting Section 1 of the 4th Report of the Planning and Development Committee at its meeting of 23 February 1988, directed that the property standards by-law be amended to include retaining walls.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Section 2 of By-law No. 74-74 is amended by inserting therein the following subsection:

(ra) "retaining wall" means a structure that holds back soil or other loose material at locations where an abrupt change in ground elevation occurs, in order to prevent the soil or other loose material from assuming a natural angle of repose;

(b) Subsection 2(p) of By-law No. 74-74 is amended by inserting the words "retaining walls" in the fifth line after the word "fences".

2. Subsection 4(2) of By-law No. 74-74 is amended by inserting the words "and property" in the first line after the word "building".

3. Subsections (1) and (2) of Section 20 of By-law No. 74-74 are amended by inserting the words "retaining wall" in the first line after the word "structure".

4. In all other respects, By-law No. 74-74 is hereby confirmed, unchanged.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

(1988) 4 R.P.D.C. 1, February 23

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Adopt:

Official Plan Amendment No. 63

Respecting:

LANDS LOCATED ON THE WEST SIDE OF CENTENNIAL PARKWAY NORTH  
BETWEEN THE QUEEN ELIZABETH WAY AND CONFEDERATION DRIVE

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 63 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

AMENDMENT NO. 63

TO THE  
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with attached Schedules "A" and "B", attached hereto, constitute Official Plan Amendment No. 63.

PURPOSE

The purpose of this Amendment is to redesignate a portion of the subject lands from "Open Space" to "Commercial" as shown on the attached Schedule "A" and to delete the subject lands, in their entirety from Special Policy Area 10.

LOCATION

This Amendment affects the lands on the west side of Centennial Parkway North between the Queen Elizabeth Way and Confederation Drive.

BASIS

This Amendment is intended to provide the basis for:

- the rezoning of the subject lands to permit the development of a hotel and tourist information centre.

ACTUAL CHANGES

1. Schedule "A" - Land Use Concept be revised by redesignating a portion of the subject lands from "Open Space" to "Commercial", as shown on the attached Schedule "A" of this Amendment.
2. Schedule "B" - Special Policy Areas be revised by deleting the subject lands in their entirety from Special Policy Area 10, as shown on the attached Schedule "B" of this Amendment.

IMPLEMENTATION

The Zoning By-law will give the effect to the intended uses and requirements on the subject lands.

This is Schedule 1 to By-law No. 88-\_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 1988.

THE CORPORATION OF  
THE CITY OF HAMILTON

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



**schedule A**  
**amendment no. 63**

to the  
official plan  
for the  
city of hamilton

**legend**

areas to be changed from



"Open Space" in "Commercial"

date	drawn by	reference file no.
Sept. 1986	G.O.	6-2-83

**DEFERRED NO D-6**  
UNDER SECTION 44(3) OF  
THE PLANNING ACT

Lake Ontario

**land use concept**

**legend**

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central business area
- special district 70A
- land numbers
- sub-report centre

**schedule A**

to the official plan  
for  
the city of hamilton

page 00 24

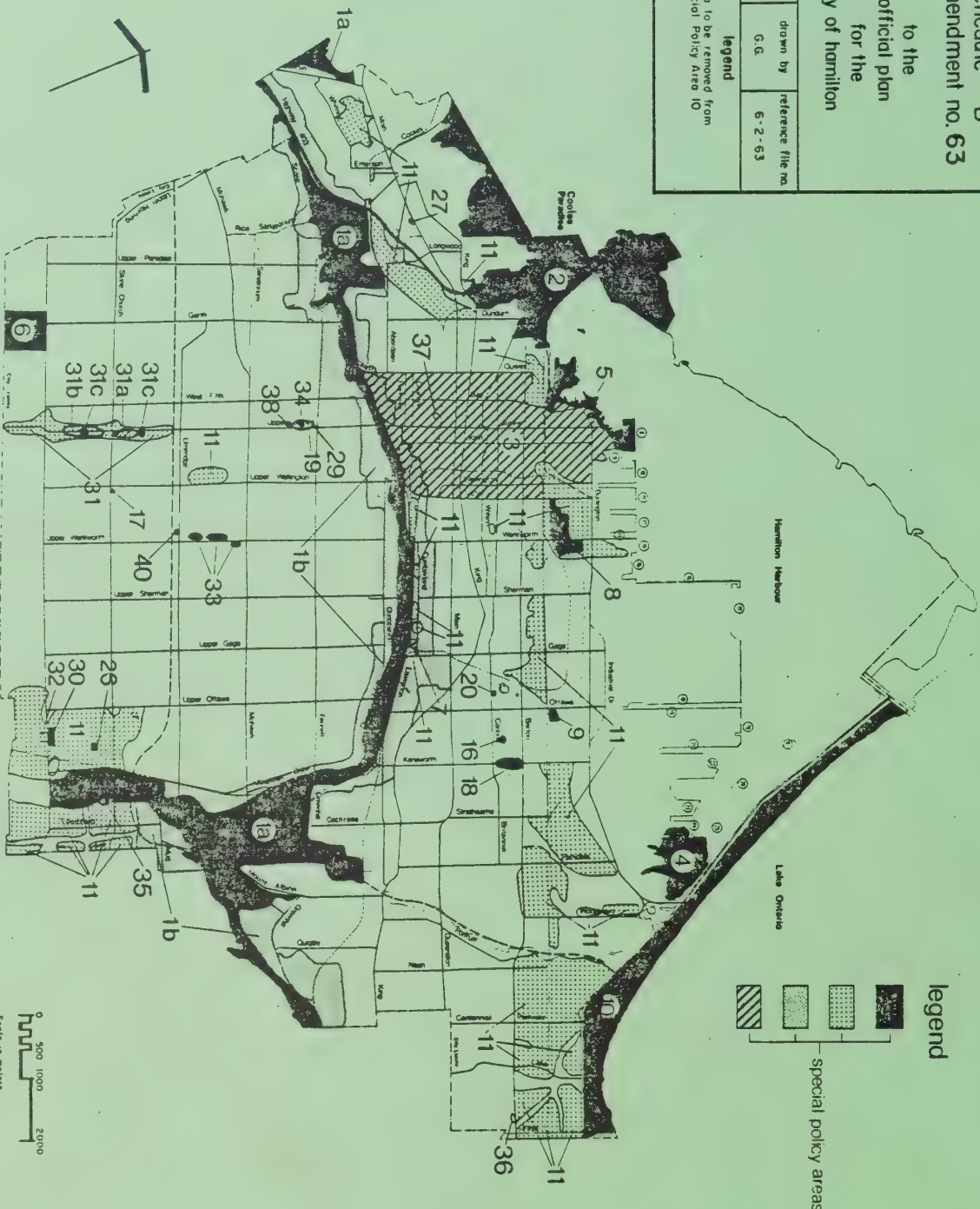


# schedule B amendment no. 63

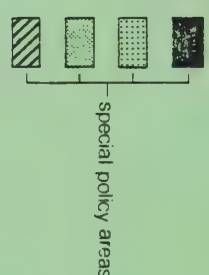
to the  
official plan  
for the  
city of hamilton

date	drawn by	reference file no.
SEPT, 1988	G. G.	6-2-63

Area to be removed from  
Special Policy Area 10



legend



## special policy areas

AREA	REFER TO POLICY
1(a)	A29.1
1(b)	A29.2
2	A29.3
3	A29.4
4	A29.5
5	A29.6
6	A29.7
7	A29.8
8	A29.9
9	A29.10
10	A29.11
11	A29.12
12	A29.13
16	A29.14
17	A29.15
18	A29.16
19	A29.17
20	A29.18
25	A29.19
26	A29.20
27	A29.21
29	A29.22
30	A29.23
31(a)	A29.24
31(b)	A29.25
31(c)	A29.26
32	A29.27
33	A29.28
34	A29.29
35	A29.30
36	A29.31
37	A29.32
38	A29.33
40	A29.35

schedule B  
to the official plan  
for the city of hamilton



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE SOUTH-EAST CORNER OF  
UPPER SHERMAN AVENUE AND STONE CHURCH ROAD EAST, AND  
LANDS MUNICIPALLY KNOWN AS NO. 1411 UPPER SHERMAN AVENUE  
AND 688 STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "G-1" (Designed Shopping Centre) District, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "G-1" (Designed Shopping Centre) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "G-1" (Designed Shopping Centre) District provisions applicable to the lands referred to in section 1, are amended to the extent only of the special requirement that,

- (a) a landscaped planting strip not less than 6.0 m. wide, and a visual barrier not less than 1.2 m. high and not more than 2.0 m. high shall be provided and maintained along the easterly and southerly limits of the lot lines for Blocks 1 and 2 abutting a residential district.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-1" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1086.

5. Sheet No. E-38C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1086.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1988.

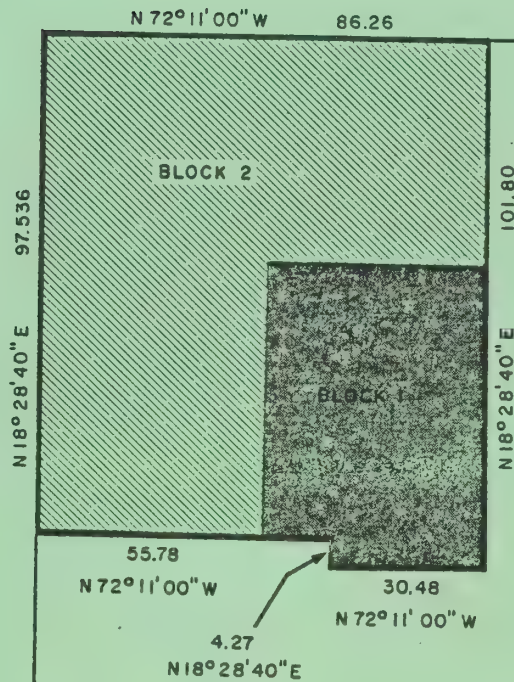
City Clerk

Mayor

(1988) 16 R.P.D.C. 22, July 26  
Sunoco Inc., Owner  
Rosart Properties Inc., Agent  
ZA-83-45

# STONE CHURCH ROAD EAST

UPPER SHERMAN AVENUE



NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

## CITY OF HAMILTON


SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend

 CHANGE IN ZONING FROM "AA" (AGRI-CULTURAL) DISTRICT TO "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT.

 CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT.

North



Scale  
NOT TO SCALE

Date  
JULY 26, 1988

Reference File No.  
ZA-83-45

Drawn By  
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA WEST OF SILVERTON DRIVE  
AND NORTH OF NINA COURT

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

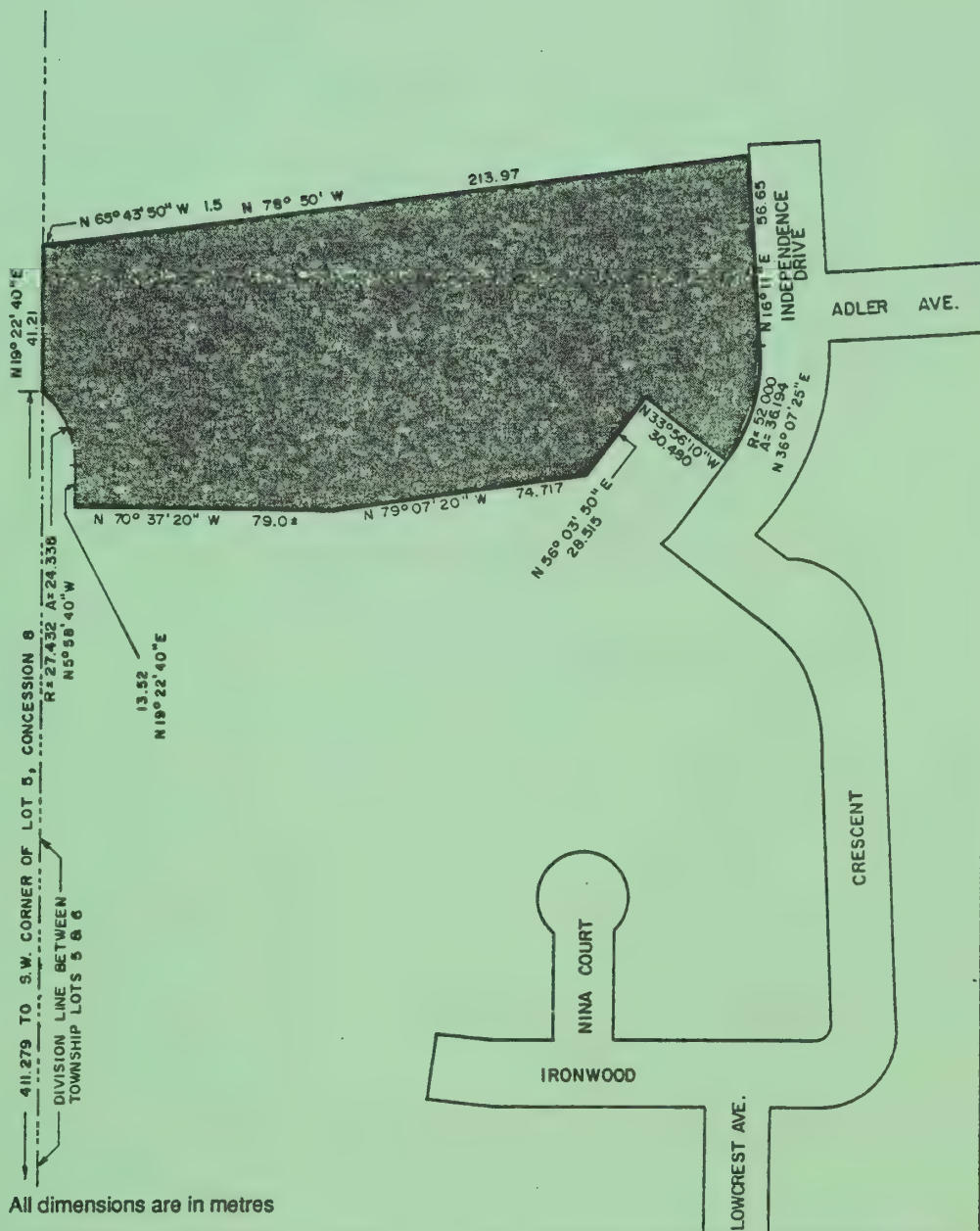
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor





This is Schedule "A" to By-Law No. 88-.....  
 Passed the ..... day of ....., 1988.

.....  
 Clerk

.....  
 Mayor

City of Hamilton

Schedule A

Map Forming Part of  
 By-Law No. 88-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend

Change in zoning from:



"AA"(Agricultural) District to "R-4"(Small  
 Lot Single-Family Detached) District.

North



Scale  
 NOT TO SCALE

Reference File No.  
 ZA89-37

Date  
 September 1988

Drawn By  
 A.J.L.



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 866 UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area,, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District,

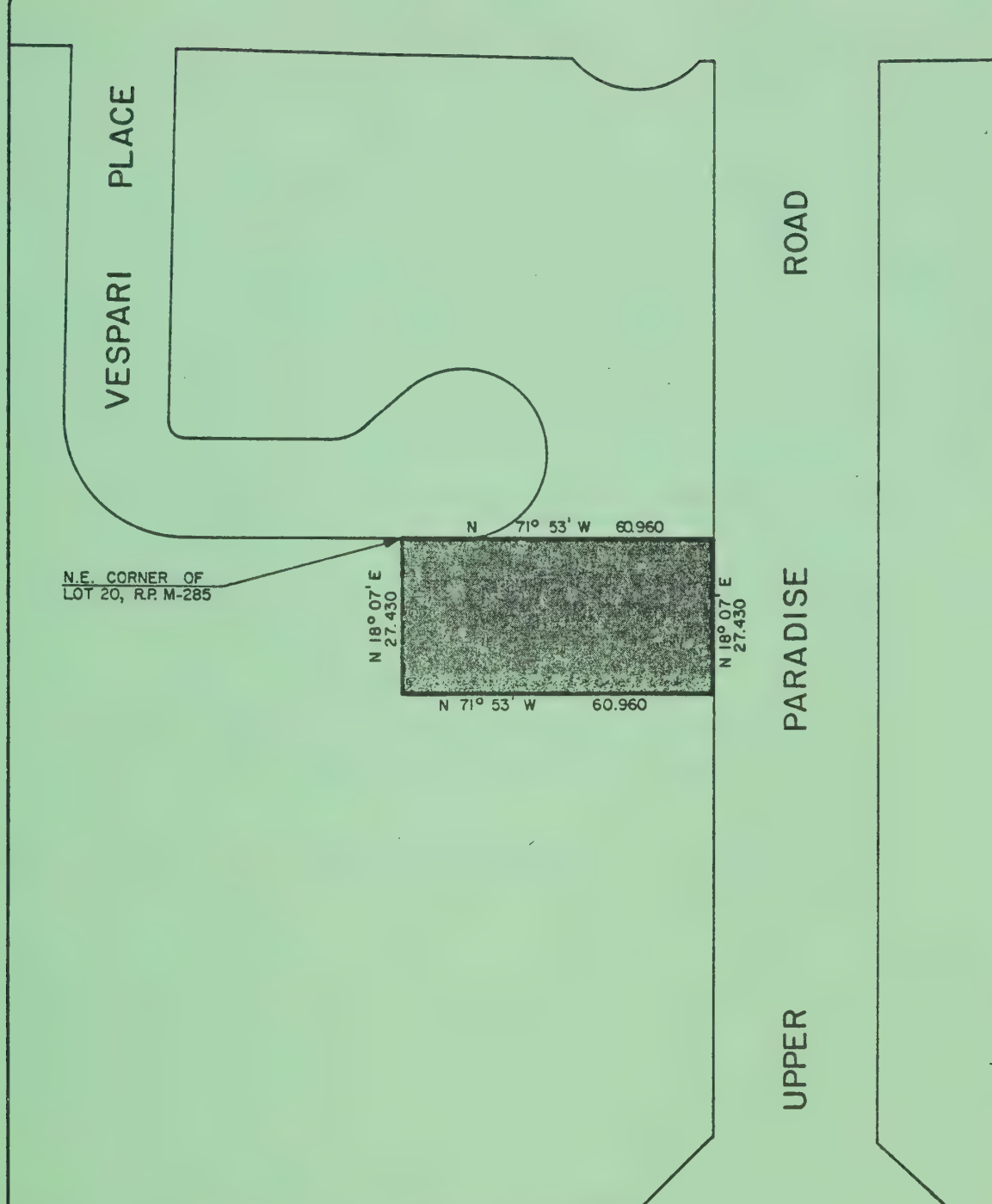
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 88-.....  
Passed the ..... day of ..... , 1988.

.....  
Clerk

.....  
Mayor

City of Hamilton

## Schedule A

Map Forming Part of  
By-Law No. 88-.....

to Amend By-Law No. 6593

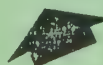
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



Change in zoning from "B"(Suburban  
Agriculture and Residential, etc.) District to  
"C"(Urban Protected Residential, etc.) District.

North



Scale  
NOT TO SCALE

Date  
September 1988

Reference File No.  
ZA88-44

Drawn By  
A.J.L.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

As Amended By:

Zoning By-law No. 83-61

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 60-62 WEST AVENUE SOUTH

WHEREAS Section 11 of Zoning By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821), enumerates the uses permitted on lands located in "E" (Multiple Dwellings, Lodges, Clubs, etc.) Districts;

AND WHEREAS By-law No. 83-61, passed by the Council of The Corporation of the City of Hamilton on the 22nd day of February 1983, amends Section 11 of By-law No. 6593 by providing a special requirement to the use of lands located at Municipal No. 60 West Avenue South;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 23 of the 16th Report of the Planning and Development Committee at its meeting held on the 26th day of July 1988 directed that Zoning By-law No. 6593, as amended by By-law No. 83-61, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions contained in Section 11 of By-law No. 6593, as amended by By-law No. 83-61, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) Section 1.(a) of By-law No. 83-61 is amended by deleting the words "twelve residents of at least 60 years of age" from the third and fourth lines, and substituting in lieu thereof the words "twenty residents";
- (b) Section 1.(c) of By-law No. 83-61 is amended by deleting the word "four" in the first line and substituting in lieu thereof the word "six";
- (c) Section 1 of By-law No. 83-61 is further amended by adding thereto the following subsection:
  - 1. (d) Notwithstanding Section 18A.(9) of By-law No. 6593, the maneuvering area for the required six parking spaces may be located off-site;

- (d) In all other respects, Section 11 of Zoning By-law No. 6593, as amended by By-law No. 83-61, in respect of the lands located at Municipal No. 60-62 West Avenue South is hereby confirmed, unchanged.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-810a.

4. Sheet No. E-14 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-810a.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983

PASSED this

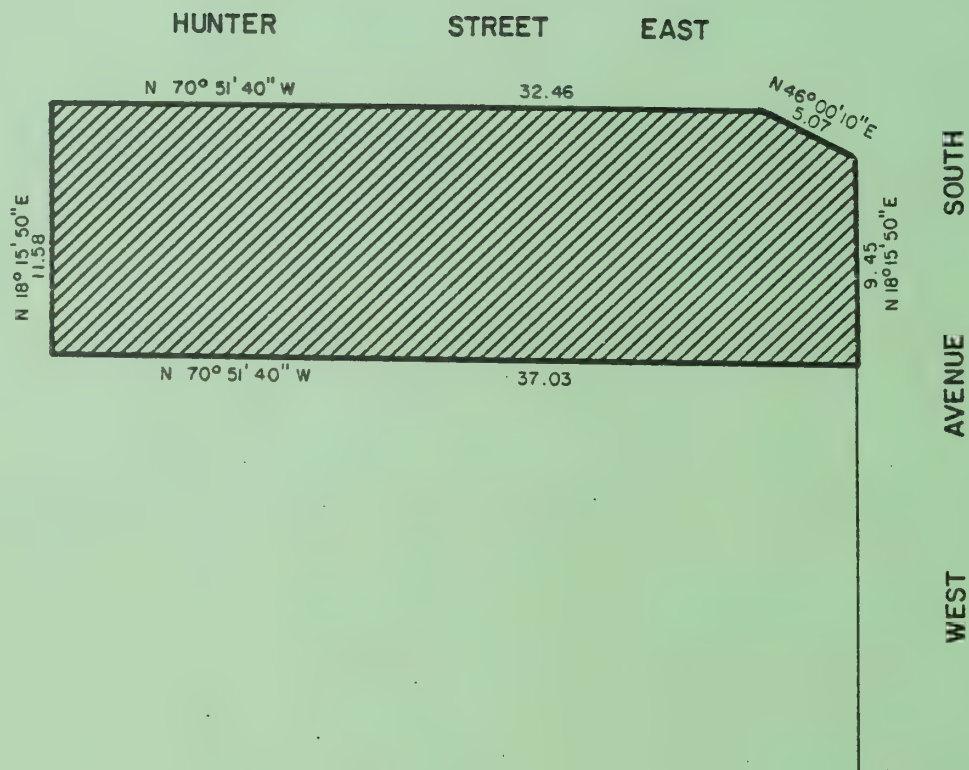
day of

A.D. 1988.

City Clerk

Mayor

(1988) 16 R.P.D.C. 23, July 26  
Gwynette Seymour & Frederick Seymour, Owners  
ZA-87-82



NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON**

**SCHEDULE "A"**

**MAP FORMING PART OF**

**BY-LAW NO. 88-**

**TO AMEND BY-LAW NO. 6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED  
BY BY-LAW NO. 88-

North



Scale  
NOT TO SCALE

Date  
July, 1988

Reference File No.  
ZA - 87 - 82

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

DEFINITION OF "FAMILY"

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July, 1950, which By-law was approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 7 of the 18th Report of the Planning and Development Committee at its meeting held on the 30th day of August 1988, directed that Zoning By-law No. 6593 be amended to provide for a revised definition of "Family", and for additional amendments relating thereto;

AND WHEREAS this by-law does not conflict with the intent of the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsections 2.(2)A.(vi) and (vii) of By-law No. 6593 are amended by deleting the phrase "in the district in which it is situate" from the sixth and seventh lines.

2. Subsection 2.(2)J.(vii) of By-law No. 6593 is repealed, and the following is substituted therefor:

(vii) "Family" shall mean:

1. one person, with or without the accommodation of not more than three lodgers, or
2. any number of persons related to each other by blood, marriage, legal adoption, or foster parentage, with or without the accommodation of not more than three lodgers, or
3. any number of persons, two of whom live together in a conjugal relationship outside marriage and either one or both of whom are related to the remainder by blood, marriage, legal adoption, or foster parentage, with or without the accommodation of not more than three lodgers, or

4. five or fewer persons, irrespective of the relationship, if any, between them,

occupying and using a single dwelling unit, but does not include a person or group of persons occupying:

a residential care facility, a short-term care facility, a room or suite in a hotel, hostel, or lodging home, tourist home and any institutional accommodation.

3. (1) Subsection 8.(1)(i) of By-law No. 6593 is repealed, and the following is substituted therefor:

(i) A single-family dwelling;

- (2) Subsection 9.(1)(i) of By-law No. 6953 is repealed, and the following is substituted therefor:

(i) A single-family dwelling;

- (3) Clauses 1 and 2 of Subsection 9A(1)(a) of By-law No. 6593 are repealed, and the following are substituted therefor:

1. A single-family dwelling.
2. A semi-detached dwelling.

4. (1) Subsection 10.(1)(ii) of By-law No. 6593 is repealed, and the following is substituted therefor:

(ii) A two-family dwelling.

- (2) Subsection 10.(1)(iv) of By-law No. 6593 is repealed, and the following is substituted therefor:

(iv) A converted dwelling containing not more than three dwelling units, not more than one of which is a housekeeping dwelling unit, provided that the housekeeping dwelling unit shall not accommodate any lodger;

5. (1) (a) Subsection 10A(1)(ii) of By-law No. 6593 is repealed, and the following is substituted therefor:

(ii) A two-family dwelling or three-family dwelling;

- (b) Subsection 10A(1)(iii) of By-law No. 6593 is repealed, and the following is substituted therefor:

(iii) A converted dwelling containing not more than three dwelling units, provided that a housekeeping dwelling unit shall not accommodate any lodger;

- (c) Subsection 10A(1)(iv) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (iv) A multiple dwelling;  
(See Section 18(8) for Special Requirements for Groups of Multiple Dwellings.)

(2) (a) Subsection 10B(1)(ii) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (ii) A two-family dwelling;

(b) Subsection 10B(1)(iii) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (iii) A three-family dwelling;

(c) Subsection 10B(1)(iv) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (iv) A converted dwelling, containing at least two Class A dwelling units for every housekeeping dwelling unit, provided that a housekeeping dwelling unit shall not accommodate any lodger;

(d) Subsection 10B(1)(vi) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (vi) A multiple dwelling;  
(See Section 18(8) for Special Requirements for Groups of Multiple Dwellings.)

(3) (a) Subsection 10C(1)(ii) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (ii) A two-family dwelling;

(b) Subsection 10C(1)(iii) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (iii) A three-family dwelling;

(c) Subsection 10C(1)(iv) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (iv) A converted dwelling, containing at least two Class A dwelling units for every housekeeping dwelling unit, provided that a housekeeping dwelling unit shall not accommodate any lodger;

(d) Subsection 10C(1)(vi) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (vi) A multiple dwelling;  
(See Section 18(8) for Special Requirements for Groups of Multiple Dwellings.)

6. (1) (a) Subsection 11.(1)(ii) of By-law No. 6593 is repealed, and the following is substituted therefor:

- (ii) A converted dwelling, containing at least two Class A dwelling units for every housekeeping

dwelling unit, provided that a housekeeping dwelling unit shall not accommodate any lodger;

(b) Subsection 11(1)(iib) of By-law No. 6593 is repealed, and the following is substituted therefor:

(iib) A three-family dwelling;

(2) (a) Subsection 11B(1)(ii) of By-law No. 6593 is repealed, and the following is substituted therefor:

(ii) A two-family dwelling;

(b) Subsection 11B(1)(iii) of By-law No. 6593 is repealed, and the following is substituted therefor:

(iii) A three-family dwelling;

(c) Subsection 11B(1)(iv) of By-law No. 6593 is repealed, and the following is substituted therefor:

(iv) A converted dwelling, containing at least two Class A dwelling units for every housekeeping dwelling unit, provided that a housekeeping dwelling unit shall not accommodate any lodger;

(d) Subsection 11B(1)(vi) of By-law No. 6593 is repealed, and the following is substituted therefor:

(vi) A multiple dwelling;  
(See Section 18(8) for Special Requirements for Groups of Multiple Dwellings.)

7. In all other respects By-law No. 6593 is hereby confirmed, unchanged.

PASSED this

day of

A.D. 1988.

City Clerk

Mayor

(1988) 18 R.P.D.C. 7, August 30  
City Initiative 88-I



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 21-71 SANFORD AVENUE NORTH,  
15 SANFORD AVENUE SOUTH, AND 14 ACORN STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-22 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "J" (Light and Limited Heavy Industry, etc.) district modified to "DE-3"-'H' (Multiple Dwellings - Holding) district, the land comprised in Block 2,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "DE-3"-'H' (Multiple Dwellings - Holding) district referred to in section 1 shall be subject to the special requirement that,

- (a) upon completion of a site plan for the proposed development which includes the parking lots located at No. 14 Acorn Street and No. 15 Sanford Avenue South, the "H" symbol shall be removed by amendment to this by-law and the development of the land comprised in Block 2 may proceed in accordance with the "DE-3" district provisions.

3. The "DE-3" (Multiple Dwellings) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,



- (a) section 2.(2)J.(xb)(c) of By-law No. 6593 shall not apply;
- (b) section 4.(3)(a) of By-law No. 6593 shall not apply;
- (c) section 10C(3) of By-law No. 6593 shall not apply to the buildings or structures existing on the date of the passing of this by-law, and to any new additions thereto;
- (d) notwithstanding section 10C(5) of By-law No. 6593, no building or structure shall have a gross floor area greater than 29,500 m<sup>2</sup>;
- (e) notwithstanding section 10C(6) of By-law No. 6593, a landscaped area not less than 12% of the total lot area shall be provided and maintained on the lot and not less than 9.40% of the lot area shall be landscaped at grade ;
- (f) notwithstanding section 18A.(1)(c) of By-law No. 6593, not less than one loading space measuring 9.0 m x 3.7 m x 4.3 m shall be provided and maintained on-site;
- (g) notwithstanding section 18A.(1)(f) of By-law No. 6593, the manoeuvring space abutting upon and accessory to each required parking space, except for parallel parking spaces, shall have an aisle width of not less than 4.4 m;
- (h) notwithstanding section 18A.(7) of By-law No. 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 m wide and 5.5 m long;
- (i) notwithstanding section 18A.(8) of By-law No. 6593, every parallel parking space shall have dimensions not less than 2.4 m wide and 6.7 m long;
- (j) notwithstanding section 18A.(9) of By-law No. 6593, the required parking for the multiple dwelling may be provided on-site, or on the lands located at municipal numbers 15 Sanford Avenue South and 14 Acorn Street, shown as Blocks 3 and 4 on Schedules hereto annexed as "A-1" and "A-2" respectively;
- (k) notwithstanding section 18A.(24)(b)(i) of By-law No. 6593, the access driveways shall be at least 4.4 m in width.

4. The "H" (Community Shopping and Commercial, etc.) District provisions applicable to the land comprised in Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A-1", are amended to the extent only of the special requirements that,

- (a) notwithstanding section 18A.(1)(f) of By-law No. 6593,

- (i) the manoeuvring space abutting upon and accessory to each required parking space, except for parallel parking spaces, shall have an aisle width of not less than 4.4 m, and
- (ii) the manoeuvring space abutting upon and accessory to parallel parking spaces may be provided on the alleyways adjacent to the said lands;
- (b) notwithstanding section 18A.(7) of By-law No. 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 m wide and 5.5 m long;
- (c) notwithstanding section 18A.(8) of By-law No. 6593, every parallel parking space shall have dimensions not less than 2.4 m wide and 6.7 m long;
- (d) notwithstanding section 18A.(24)(b)(i) of By-law No. 6593, the access driveways shall be at least 4.4 m in width.

5. The "G-3" (Public Parking Lots) District provisions applicable to the land comprised in Block 4, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A-2", are amended to the extent only of the special requirements that,

- (a) notwithstanding section 13C(3)(i) of By-law No. 6593, a front yard of at least 1.8 m shall be provided and maintained;
- (b) section 13C(3)(ii) of By-law No. 6593 shall not apply;
- (c) notwithstanding section 18A.(1)(f) of By-law No. 6593, the manoeuvring space abutting upon and accessory to each required parking space, except for parallel parking spaces, shall have an aisle width of not less than 4.4 m;
- (d) notwithstanding section 18A.(7) of By-law No. 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 m wide and 5.5 m long;
- (e) notwithstanding section 18A.(8) of By-law No. 6593, every parallel parking space shall have dimensions not less than 2.4 m wide and 6.7 m long;
- (f) notwithstanding section 18A.(24)(b)(i) of By-law No. 6593, the access driveways shall be at least 4.4 m in width.

6. No building or structure shall be erected, altered, extended or enlarged,, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3"-H District, "H" District and "G-3" District provisions, subject to the special requirements referred to in sections 3, 4, and 5 respectively.

7. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1073.

8. Sheet No. E-22 of the District Maps is amended by marking the land referred to in sections 1, 4, and 5 of this by-law, S-1073.

9. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this            day of

A.D. 1988.

City Clerk

Mayor

(1988) 19 R.P.D.C. 12(A), September 27  
Vaghela Investments, Owner  
ZA-88-07



NOTE: ALL DIMENSIONS ARE IN METRES

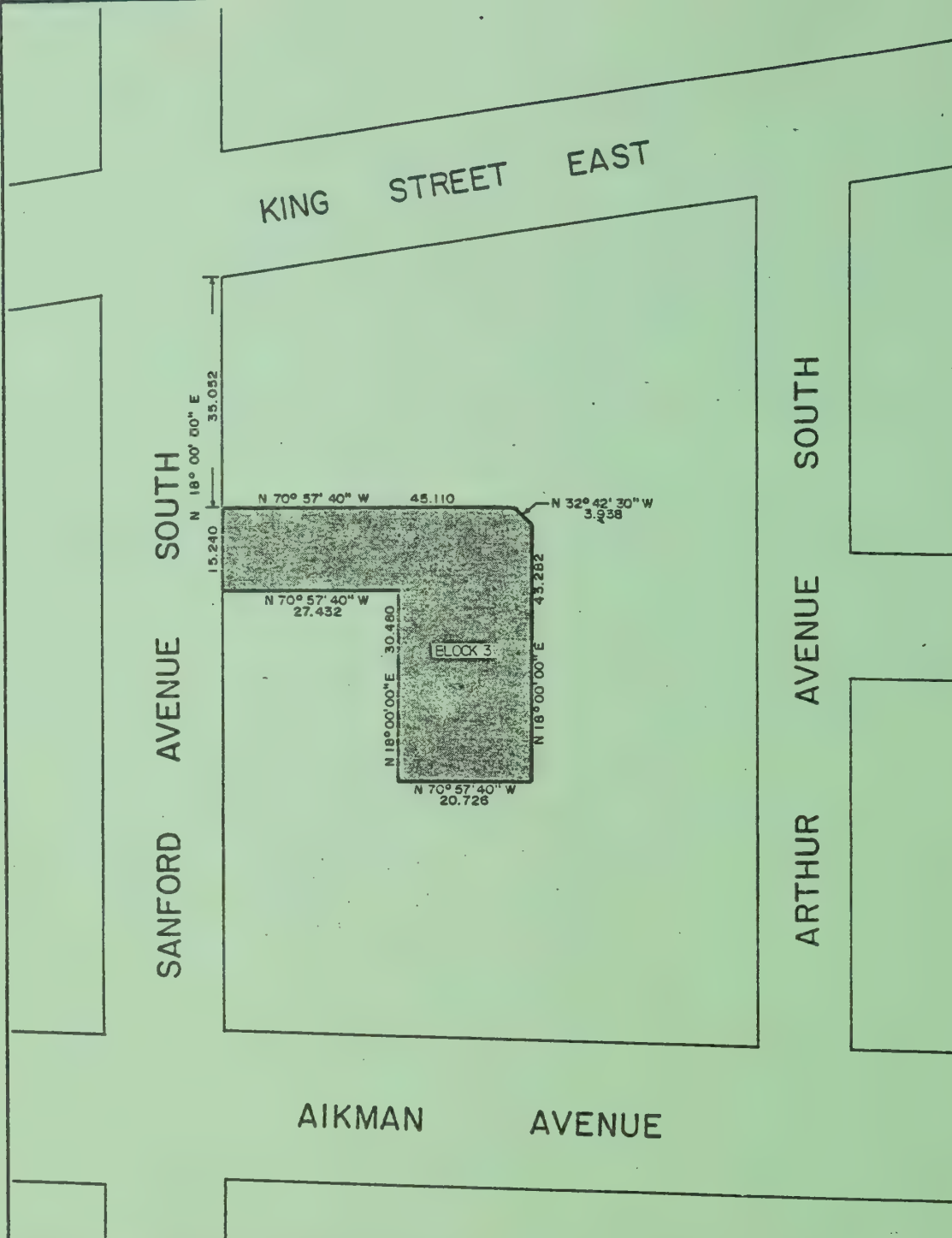
THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

<p align="center"><b>CITY OF HAMILTON</b> <b>SCHEDULE "A"</b> <b>MAP FORMING PART OF</b> <b>BY-LAW NO. 88-</b> <b>TO AMEND BY-LAW NO. 6593</b></p> <p align="center">Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>			<p align="center">Legend</p> <div style="display: flex; align-items: center;"> <div style="border: 1px solid black; width: 30px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); margin-right: 5px;"></div> <p><b>BLOCK 2</b></p> </div> <p>CHANGE IN ZONING FROM "J" (LIGHT AND LIMITED HEAVY INDUSTRY, ETC.) DISTRICT, MODIFIED TO "DE-3" - 'H' (MULTIPLE DWELLINGS) DISTRICT, MODIFIED.</p>		
<p>North</p>	Scale	Reference File No.			
	NOT TO SCALE	ZA 88-07			
	Date	Drawn By			
	SEPT. 1988	Z. K.			





NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A-1" TO BY-LAW NO. 88-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

SCHEDULE "A-1"

MAP FORMING PART OF  
BY-LAW NO. 88-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



LANDS TO BE REGULATED  
BY BY-LAW NO. 88-

North



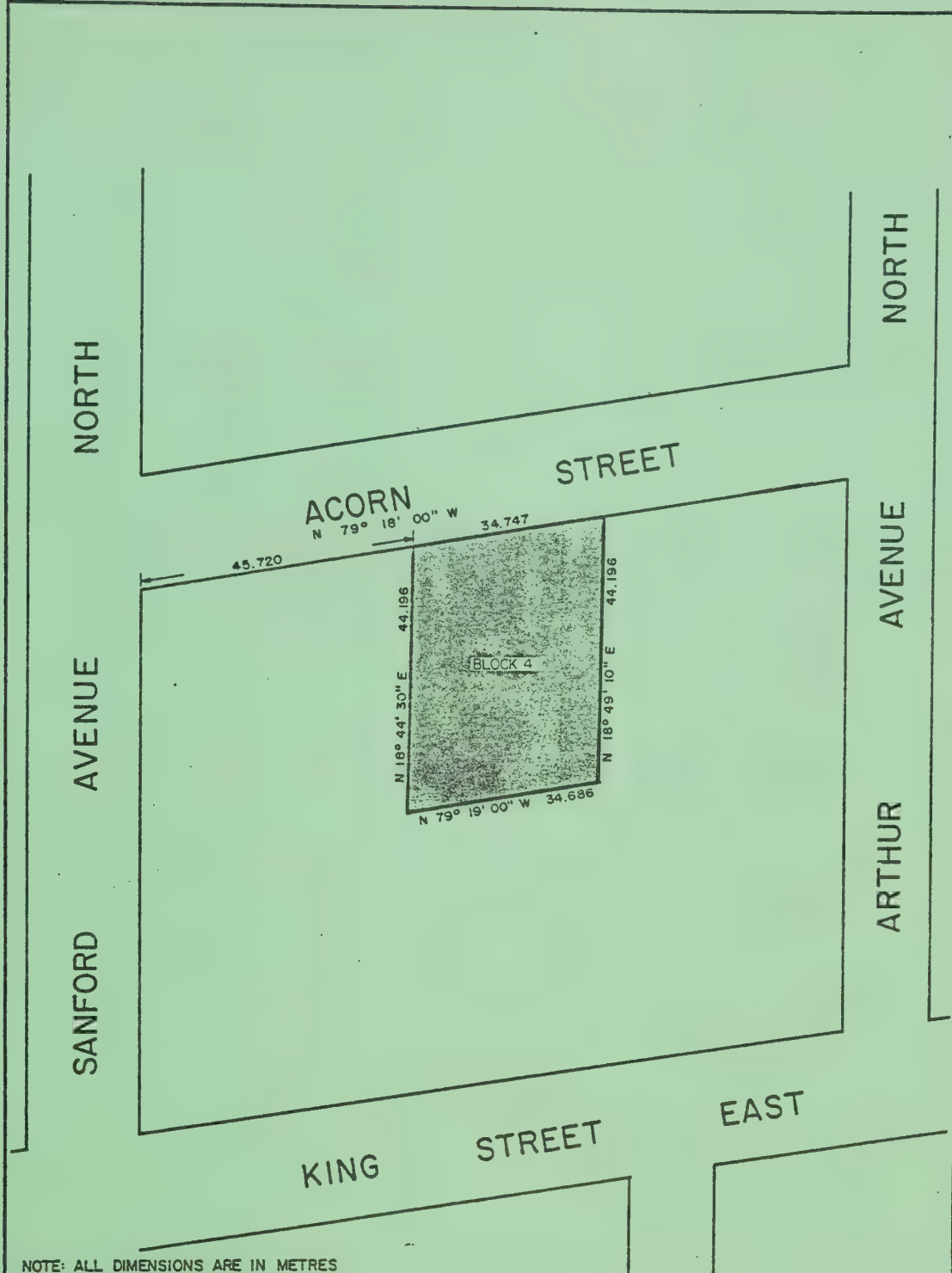
Scale  
NOT TO SCALE

Date  
SEPT. 1988

Reference File No.  
ZA 88-07

Drawn By  
Z. K.





NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A-2" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A-2"**  
**MAP FORMING PART OF**  
**BY-LAW NO. 88-**  
**TO AMEND BY-LAW NO. 6593**  
  
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend		
<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 5px;">BLOCK 4</div> <div>LANDS TO BE REGULATED BY BY-LAW NO. 88-</div> </div>		
North	Scale	Reference File No.
	NOT TO SCALE	ZA 88-07
	Date	Drawn By
	SEPT. 1988	Z.K.

The Corporation of the City of Hamilton . .

BY-LAW NO. 88-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 15 SANFORD AVENUE SOUTH

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, [now section 40 of The Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July, 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

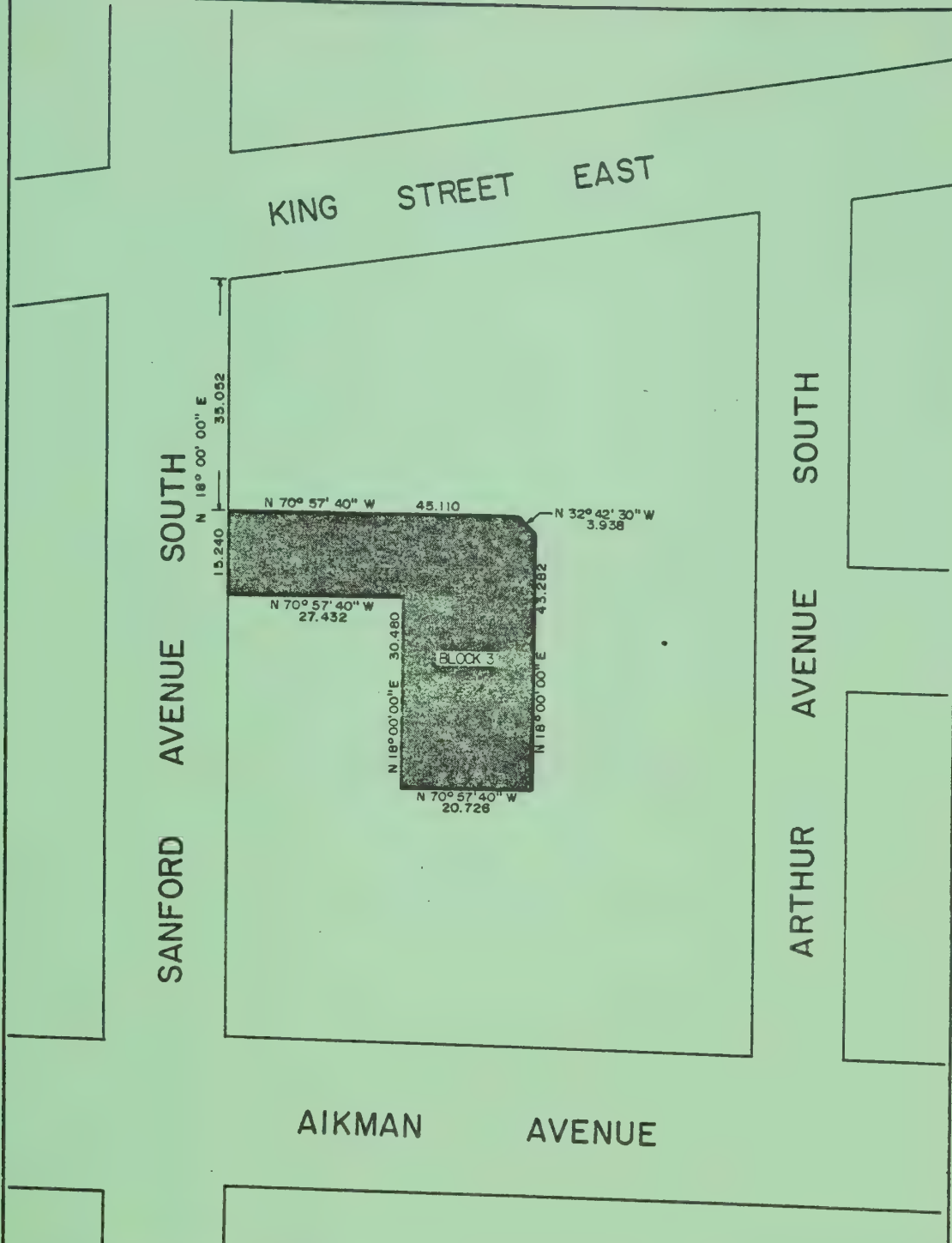
107. Land located at Municipal No.  
15 Sanford Avenue South, shown  
on Appendix 107 hereto annexed  
and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275 as Appendix 107.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor



NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

APPENDIX 107

TO

BY-LAW N<sup>o</sup> 79-275

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Lands designated under this by-law as an  
area of Site Plan Control pursuant to  
Section 40 of The Planning Act.

North



Scale  
NOT TO SCALE

Date  
APR. 1988

Reference File No.  
ZA88-07

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 14 ACORN STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, [now section 40 of The Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July, 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

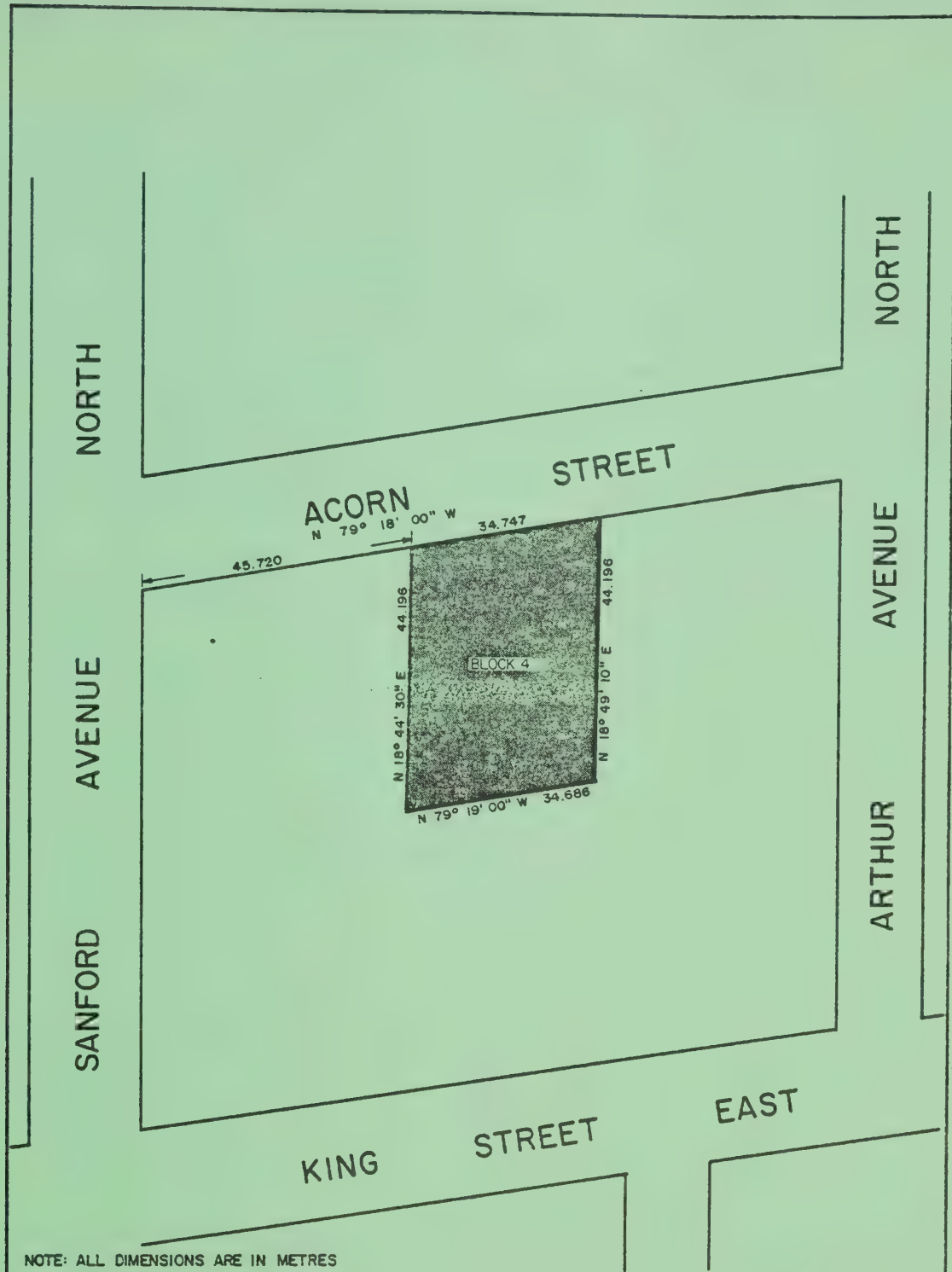
108. Land located at Municipal No. 14 Acorn Street, shown on Appendix 108 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275 as Appendix 108.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor



NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

APPENDIX 108

TO

BY-LAW N<sup>o</sup> 79-275

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Lands designated under this by-law as an  
area of Site Plan Control pursuant to  
Section 40 of The Planning Act.

North



Scale  
NOT TO SCALE

Date  
APR. 1988

Reference File No.  
ZA88-07

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

HEALTH BY-LAW NO. 4798

Respecting:

NOISE

WHEREAS By-law No. 4798, being the Health By-law, was passed by the Council of The Corporation of the City of Hamilton on the 29th day of September, 1936, and confirmed by the City of Hamilton Act, 1937, S.O. 1937, c. 91;

AND WHEREAS the City of Hamilton Act, S.O. 1951, c. 103, as amended by the City of Hamilton Act, 1964, c. 130, provides as follows:

1. (1) The Council of The Corporation of the City of Hamilton may pass by-laws,
  - (a) for amending and revising from time to time By-law No. 4798, and
  - (b) for regulating, in any such amending or revising of said By-law No. 4798, all matters relating to the design, erection, alteration, demolition, removal, maintenance, and use of buildings and structures and the use of land, and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons from conditions that may be or become injurious to health;
- (6) No part of any by-law passed under this section shall come into force without the approval of the Ontario Municipal Board, and such approval may be for a limited period of time only, and the Board may extend such period from time to time upon application made to it for such purpose.

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting section 3 of the 9th Report of the Legislation Committee, at its meeting held on the 26th day of July 1988, directed that Health By-law No. 4798 be amended as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(b)(ix) of section 707 of By-law No. 4798 is amended by deleting the words "the neighbourhood" from the fourth line, and substituting in lieu thereof the words "a neighbour".

2. In all other respects, subsection 2 of section 707 of By-law No. 4798 is confirmed, unchanged.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for approval of this by-law.

4. This by-law comes into effect on the date of its approval by the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

(1988) 9 R.L.C. 3, July 26



LA 4 ON ABC AOS  
A31

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1988 October 11  
7:30 o'clock p.m.  
Council Chambers, City Hall

JT:mjw

## A G E N D A

1. Opening Prayer

Reverend D. A. Shepherd  
Bethel Gospel Tabernacle

2. Presentations

World Citizenship Medals - City of Hamilton Mundialization Committee  
Co-op Housing Federation of Hamilton

3. Proclamations

Fire Prevention Week - 1988 October 9 to October 15  
McMaster Alumni Week - 1988 October 10 to October 16  
Columbus Week - 1988 October 10 to October 17  
Hispano-American Day - 1988 October 12  
World Food Day - 1988 October 16

4. Declaration of Appointed Office

Mr. James G. Hindson, Director, Information Systems







5. Minutes

1988 September 27

6. Correspondence

7. Reports of the Standing Committees - attached

- (a) Executive Committee
- (b) Transport and Environment Committee
- (d) Planning and Development Committee
- (e) Legislation Committee

8. Notice of Motion from Previous Meeting

Alderman D. Ross

9. Notice of Motion for Next Meeting

10. First Reading of the Bills

11. Second Reading of the Bills - Committee of the Whole

12. Third Reading of the Bills

13. Question Period

14. Adjournment



M I N U T E S



MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, SEPTEMBER 27, 1988  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps,  
Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher,  
Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

Father Michael Rolph, St. Mary's Anglican Church, led the Council in prayer.

His Worship Mayor Morrow presented civic awards to the following:

- (i) Susan Stewart - Civic Gold Ring - winner of Gold Medal in World Surf Rescue Championships in Australia.
- (ii) Linda Shultis and Mr. G. Bianchin - winners of the Provincial and national Artistic Roller Skating Championships.
- (iii) Bantam Boys Team, Sherwood Centre - winners of Provincial Championship of the Youth Bowling Council.

The following special presentations were made:

- (i) Hamilton Redbirds Baseball Club, winners of the Q.E.W. Cup - presentation of the \$1,000.00 cheque for charitable purposes.
- (ii) Employees with 35 years service.
- (iii) Alderman P. Valeriano, Chairman, Hamilton Market Sub-Committee - presentation of apples on behalf of the Hamilton Farmers' Market Stallholders Association.
- (iv) Recognition - participants in Ontario Senior Games.
- (v) Hamilton Hockey Association - presentation of a picture, trophy, and plaque, in commemoration of the Hamilton Huskies Longshoremen Minor Bantam West Hockey Team winning the All-Ontario Minor Bantam Championship 1987-1988.

The following proclamation was read:

- (i) Arthritis Society - Mr. Tim Bullock.

The minutes of the meeting of August 30, 1988, were taken as read and approved.



The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter from Ruby & Edwarth, Barristers, 11 Prince Arthur Avenue, Toronto, Ontario, re personnel matter, dated July 26, 1988. (PRIVATE AND CONFIDENTIAL). (Referred to the Executive Committee).
2. Application from Norman & Louise Lewis and Robert & Marilyn Mueller, 70 and 66 Kennedy Avenue, Hamilton, Ontario, for a change in zoning, property located at 66 and 70 Kennedy Avenue, dated September 6, 1988.
3. Application from Louis Levy, 135 James Street South, Hamilton, Ontario, for a modification to the zoning, property located at 99 Duke Street and 191 Bay Street South, dated September 7, 1988.
4. Application from Barton Street Auto Mall, P.O. Box 145, Brantford, Ontario, for a change in zoning, property located at 799 Barton Street East, dated September 9, 1988.
5. Application from Louis Levy, 135 James Street South, Hamilton, Ontario, for a change in zoning, property located at 99 Duke Street and 191 Bay Street South, dated September 15, 1988.
6. Application from Corrado Development Corporation, P.O. Box 353, Grimsby, Ontario, for a change in zoning, property located at 480 Rymal Road West, dated September 16, 1988.
7. Application from Doug and Cathy Earle, 101 Folkestone Avenue, Hamilton, Ontario, for a modification to the zoning, property located at 101 Folkestone Avenue, dated September 21, 1988.
8. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law Number 88-189, dated September 16, 1988. NO ACTION TAKEN.
9. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law Number 88-193, dated September 16, 1988. NO ACTION TAKEN.

\* \* \* \* \*

It was moved by Alderman Smith, seconded by Alderman Cowell, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Wheeler in the chair.

\* \* \* \* \*

(A) EXECUTIVE COMMITTEE - SEVENTEENTH REPORT.

Recorded vote on Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Aldermen Kiss, Smith, Cowell. - 3. CARRIED.

\* \* \* \* \*

It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of the Director-Information Systems. - CARRIED.

\*\*\*\*\*

It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that the following be added as Section 13.

"13. That, subject to the approval of both City and Regional Councils, the Chief Administrative Officers of the City and Region, and the Commissioner of Human Resources, be authorized to negotiate the provisions of a contract with Mr. James G. Hindson for a term of three years, within the compensation range "B" for the position of Director-Information Systems and, further, that the appropriate City and Regional Officers be authorized to execute this contract.

NOTE: Regional Council approved this appointment at a special meeting held on Monday, September 26, 1988." - CARRIED.

\*\*\*\*\*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT.

Recorded vote on Section 8.

YEAS: Mayor Morfow; Aldermen Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

\*\*\*\*\*

The recommendation of the Executive Committee on Section 19 was carried.

\*\*\*\*\*

Recorded vote on Section 21.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Kiss. - 1. CARRIED.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT.

The recommendation of the Executive Committee on Section 10 was carried.

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Merling.

RESOLVED: that Section 13 be referred back. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Merling.

RESOLVED: that Subsection (c) of Section 15 be amended by deleting the word "proposals" and inserting in lieu thereof the words "the terms of reference", so that the section reads:

"(c) That the appropriate staff be directed to prepare the terms of reference for the study." - CARRIED.

\* \* \* \* \*

Recorded vote on Subsection (a) of Section 16.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Merling, Ross. - 15.

NAYS: Alderman Murray. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Valeriano.

RESOLVED; that the recommendation of the Executive Committee on Sub-clause (ii) of Subsection (b) of Section 16, reading as follows:

"Amend the jurisdiction of the Ontario Municipal Board with respect to its power to rule on matters pertaining to local community 'need',

be deleted and the following inserted in lieu thereof:

"Amend the jurisdiction of the Ontario Municipal Board so that the power of the Ontario Municipal Board with respect to Capital Projects be restricted to the financing capability of the municipality, and that the need for such a project be at the discretion of the municipality." - CARRIED.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - NINETEENTH REPORT.

Recorded vote on Section 10.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Agostino, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 14.

NAYS: Alderman Christopherson. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 14.

"14. that the Neighbourhood Plan for the Gurnett Neighbourhood be amended to provide for the construction of Gosford Drive, as approved by City Council on August 30, 1988, with the adoption of Section 30 of the TWELFTH Report of the Transport and Environment Committee. - CARRIED.

\* \* \* \* \*

(E) LEGISLATION COMMITTEE - TENTH REPORT.

It was moved by Alderman Ross and seconded by Alderman Valeriano.

RESOLVED: that Section 15 be amended by adding the following as Subsection (c):

"(c) That the Chief Administrative Officer report back to City Council in six months with respect to the effectiveness of the above smoking room." - CARRIED.

\* \* \* \* \*



Recorded vote on Section 15, as amended:

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Valeriano,  
Christopherson, Wheeler, Ross. - 7.

NAYS: Aldermen Copps, Agostino, Smith, Merling,  
Murray. - 5. CARRIED.

\* \* \* \* \*

Recorded vote on Section 18.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Valeriano,  
Hinkley, Christopherson, Agostino, Smith. - 8.

NAYS: Aldermen Cooke, McCulloch, Copps, Wheeler,  
Cowell, Merling, Murray, Ross. - 8. LOST.

\* \* \* \* \*

(F) PERSONNEL COMMITTEE - ELEVENTH REPORT.

\* \* \* \* \*

(G) FINANCE COMMITTEE - FOURTEENTH REPORT.

Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Cooks, Kiss, Agro, McCulloch,  
Valeriano, Hinkley, Christopherson, Wheeler, Ross. - 10.

NAYS: Aldermen Copps, Agostino, Smith, Cowell, Merling,  
Murray. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman McCulloch.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for  
this meeting of City Council in order to permit con-  
sideration of a resolution to provide for staff to  
prepare a report on the implications of the decisions  
of the Ontario Municipal Board with respect to the Twin  
Pad Arena and Dofasco Assessment Appeal. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman McCulloch.

RESOLVED: that staff be directed to prepare a report for the  
Executive Committee on the implications of the decisions  
of the Ontario Municipal Board respecting the Twin Pad  
Arena and the Dofasco Assessment reduction.

That the report form the basis for a submission to Mr. R. W.  
MacAuley who is presently reviewing the role and mandate of



various Provincial Agencies, Boards and Commissions. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Merling and seconded by Alderman Ross.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a grant to the Jamaican Relief Fund. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that a grant of \$3,000.00 be made to the Jamaican Relief Fund. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cowell and seconded by Alderman Ross.

RESOLVED: that Alderman J. Smith be appointed Acting Mayor for the month of October, 1988. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Cowell.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 16.

NAYS: 0 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Cowell.

RESOLVED: that the following Bills be now read a first time:

A-20,  
B-68, B-69, B-70, B-71, B-72,  
D-106, D-107, D-108, D-109, D-110, D-111, D-112,  
D-113, D-114, D-115, D-116, D-117,  
E-14 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Smith, seconded by Alderman Cowell, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Wheeler in the chair.

A-20,  
B-68, B-69, B-70, B-71, B-72,  
D-106, D-107, D-108, D-109, D-110, D-111, D-112,  
D-113, \*D-114, D-115, D-116, D-117,  
E-14.

\* \* \* \* \*

Consideration of the Bills (second reading).

Recorded vote on Bill D-114.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Copps, Agostino, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 14.

NAYS: Aldermen Hinkley, Christopherson. - 2. CARRIED.

\* \* \* \* \*

It was moved by Alderman Smith and seconded by Alderman Cowell.

RESOLVED: that the following Bills be now read a third time:

A-20,  
B-68, B-69, B-70, B-71, B-72,  
D-106, D-107, D-108, D-109, D-110, D-111, D-112,  
D-113, D-114, D-115, D-116, D-117,  
E-14.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 16.

NAYS: 0 - CARRIED.

\* \* \* \* \*

CITY COUNCIL ADJOURNED AT 11.15 O'CLOCK, P.M.

\* \* \* \* \*





## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Executive Committee presents its EIGHTEENTH Report for 1988 and respectfully recommends:

1. That the City of Hamilton purchase two (2) tables for the Gallery of Distinction Dinner to be held Wednesday, October 26, 1988 (consisting of ten seats per table) for a total cost of \$800.00, and that this expenditure be financed from the Unclassified Expenditures, Account No. 0378-2743.
2. That staff and Standing Committees be directed to make no change in projects in years one and two of the five-year Capital Budget unless directed by Council, and if new projects are proposed for years three and four, such projects will be subject to the application of the trade-off principle by City Council with projects previously approved in those years; and that the Management Team develop the required procedures to implement this policy.

NOTE: The purpose of this resolution is to place clear limitations on capital spending to be contained in the 1989-1993 Capital Budget equating to the parameters provided in the four overlapping years of the approved 1988-1992 Capital Budget. This will ensure that the additional debt requirements for the years 1989-1992, as approved in the 1988-1992 Capital Budget, namely, 1989 - \$12 058 000; 1990 - \$8 289 000; 1991 - \$7 097 000 1992 - \$6 250 000, totalling \$33 694 000, will not be exceeded.

3. That leave be granted to introduce the following Bills:
  - (a) Bill A-21: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.
  - (b) Bill A-22: A By-law to Authorize Renovations to the Kenilworth Public Library.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
EXECUTIVE COMMITTEE

J.J.Schatz, Secretary  
1988 October 06









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

### Members of Council:

The Transport and Environment Committee presents its FOURTEENTH Report for 1988 and respectfully recommends:

1. (a) That the Option to Purchase agreement, respecting part of 977 Queenston Road, dated April 28, 1988 as adopted by City Council on May 10, 1988 as Item 1 of the Eighth Report of the Transport and Environment Committee, be amended by extending the closing date to December 19, 1988.
- (b) That time is to remain of the essence of the agreement and all other items and conditions of the agreement are to remain the same.
2. (a) That an Option to Purchase part of the property known as 315 Centennial Parkway North executed by Sonan Developments Limited and Ironwood Construction Limited on September 21, 1988 and scheduled for closing on December 7, 1988 be approved and completed.

NOTE: The subject parcel has a frontage along the westerly limit of Centennial Parkway North of 195 feet (59.4 metres) more or less, by a depth of 10 feet (3.04 metres) more or less, shown cross-hatched on the attached plan. The purchase price of \$1 is to be charged to Account No. 0280-02.

- (b) That an Offer to Purchase the City property along the southerly limit of Arrowsmith Road executed by Sonan Developments Limited and Ironwood Construction Limited on September 21, 1988 and scheduled for closing on December 7, 1988 be approved and completed.

NOTE: The subject parcel has a frontage along the southerly limit of Arrowsmith Road of 210 feet (64 metres) more or less, by a depth of 11 feet (3.6 metres) more or less, containing 1,685.53 square feet (156.59 square metres) more or less, shown cross-hatched on the attached plan. The sale price of \$1 is to be credited to Account No. 0280-02.

3. That an Option to Purchase part of Lot 6, Concession 8, executed by the Board of Education for the City of Hamilton on September 15, 1988 and scheduled to close on or before December 6, 1988 be approved and completed.

NOTE: The subject parcel of land which is required by the City for the extension of Templemead Drive, is located east of Upper Gage Avenue between Stone Church Road East and Rymal Road East and is composed of part of Lot 6, Concession 8, more particularly shown as Part 1 on Plan 62R-9471 containing an area of 519.46 square metres (5,610 square feet) for the purchase price of \$8 344 (plus legal fees not to exceed \$1 000) which is to be charged to Account No. 0280-02.

4. That the City of Hamilton grant the Regional Municipality of Hamilton-Wentworth an Authority to Enter on City owned lands - Red Hill Valley near Mount Albion Road for soil investigation purposes related to the North-South Freeway Project subject to the following conditions:

In consideration of the Regional Municipality of Hamilton-Wentworth:

- assuming all risk not previously existing, directly resulting from entry on the said lands by the Region, and
- assuming all costs and expenses not previously existing directly resulting from any construction, reconstruction, relocation, repair and maintenance of any ground and underground fixtures, installations, devices, pipes, utilities, conduits, buildings or structures occasioned by reason of the construction of the Works.

The City hereby authorize the Regional Municipality of Hamilton-Wentworth, its servants and agents, to make entry on the said lands as the Region may require for soil investigation purposes pertaining to the North-South Freeway Study. The Region must restore the said land to its former state.

5. (a) That garbage collection in the following alleys cease and that a curb-side street collection be used in its place:
- i. Alley #1 - Alley in the block bounded by Main Street East, King Street East, Emerald Street South and East Avenue South,
  - ii. Alley #2 - Alley in the block bounded by Robinson Street, Charlton Avenue West, Bay Street South and Caroline Street South,
- (b) That staff formally notify the residents affected in person or by written notice, of why this change is happening and when it will take effect.



6. (a) That the Public Works Department supply and place armour rocks in the two driveway approaches on the private property at 401 Woodward Avenue, at a total cost not to exceed \$600; and
- (b) That this amount be cost shared with the owner of the property on a 50% basis and that the City's Share of the costs be found within the existing Public Works Budget.

7. That "Leeds of Hamilton" be permitted to display a promotional banner across Main Street West, in front of City Hall, from December 26, 1988 to January 2, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"LEEDS Bridal Show '89  
Hamilton Convention Centre January 10th and 11th 1989"

8. That the City Solicitor be authorized and directed to prepare a By-law to incorporate Parts 10, 11, 12, 13, 14, 15, 16 & 17, Plan 62R-8070 into Templemead Drive.
9. That the City Solicitor be authorized and directed to prepare a By-law to Incorporate Parts 18, 19, 20 and 21, Plan 62R-8070 into Independence Drive.
10. That the application of Mr. E. Fedak, Solicitor on behalf of the present owners of 31 Grosvenor Avenue South, Bogdan and Jennifer Ilic, to retain the inadvertent encroachments consisting of:
- wooden steps, 1.13m x 1.32m; and
  - 2-1/2 storey brick house, 0.08 x 1.06m
- be approved during the pleasure of City Council, provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege; and
- (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

11. That the application of Mr. K. Godin, owner of 585 Cannon Street East and 40 Chestnut Avenue to retain the inadvertent encroachment consisting of a fire escape measuring .375m x 7.92m x 6.32m, be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
  - (b) That a first year fee of \$105 and subsequent annual fee of \$20 be set for this privilege; and
  - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
12. That the application of Mr. Jae Hwang, owner of 737 Barton Street East, to retain the inadvertent encroachments consisting of:
- Chimney, -.36m x 0.23m; and
  - Exhaust Duct, 0.76m x 0.36m
- be approved during the pleasure of City Council, provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege; and
  - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
13. (a) That a "One Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week, be implemented on both sides of Mulberry Street between MacNab Street North and Park Street North; and
- (b) That a "One Hour Parking Time Limit, 9:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on the north side of Delmar Drive between Columbia Drive and Daytona Drive; and

- (c) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 7:00 a.m. to 11:00 p.m., Monday to Friday" regulation be implemented on both sides of Century Street between Steven Street and Wentworth Street North; and
- (d) That parking be prohibited on the west side of Riverdale Drive between Gainsborough Road and the northerly limit of the residential property at No. 55 Riverdale Drive; and
- (e) That the existing parking prohibition be rescinded and unrestricted free parking be permitted on the east side of Riverdale Drive between Glenburn Court and the northerly limit of No. 50 Riverdale Drive; and
- (f) That City Traffic By-law 66-100 be amended accordingly.

- 14. (a) That southbound traffic on Beston Drive be required to stop for eastbound and westbound traffic on Landron Avenue; and
- (b) That northbound traffic on Lockheed Drive be required to stop for eastbound and westbound traffic on Landron Avenue; and
- (c) That westbound traffic on Main Street East be required to stop for traffic on Strathearne Avenue and for traffic on Queenston Road at the Queenston Traffic Circle;
- (d) That the existing yield sign for southbound traffic on Strathearne Avenue at Main Street East be removed; and
- (e) That westbound traffic on Main Street East be prohibited from turning left onto Strathearne Avenue; and
- (f) That City Traffic By-law 66-100 be amended accordingly.

- 15. (a) That in accordance with the request of the Hamilton Street Railway Company, the following bus stop additions be approved:
  - Upper Ottawa Route - Southbound - Nebo Road at No. 180 Nebo Road (M/B)
  - Limeridge Route - Eastbound - Limeridge Road opposite Lynbrook Drive (M/B)
  - Westbound - Limeridge Road at Garth Street (M/B)
- (b) That City Traffic By-law 66-100 be amended accordingly.

16. That residents within 400' of a proposed PCB Decontamination site be informed of the date such an item is to be considered by the Transport and Environment Committee, so that they may attend such meetings.
17. That an application, by the owners of 447 Herkimer Street, for an angled frontyard parking space, be approved.
18. That the following Bills be introduced:
  - (a) B-73 By-law to close and sell a triangular parcel of road allowance abutting 24 Ravenscliffe Avenue designated as Part 1, Plan 62R-8133
  - (b) B-74 By-law to Incorporate Part 1, Plan 62R-9553 into Rita Avenue
  - (c) B-75 By-law to amend By-law 66-100 to Regulate Traffic.
  - (d) B-76 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1988 September 30  
1988 October 03







## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTIETH Report for 1988 and respectfully recommends:

1. That the Building Commissioner BE AUTHORIZED to issue demolition permits for the demolition of the following properties:
  - (a) 120 Pritchard Road
  - (b) 129 Pearl Street North
  - (c) 66 Frederick Avenue
  
2. That the Offer to Purchase the lands of The Corporation of the City of Hamilton, being composed of Part 2, Plan 62R-8631 being part of Lot 36, Plan M-277, duly executed on 1987 October 13 by the Purchaser 732303 Ontario Limited and approved by City Council on 1987 November 10, Item 12 of the 21st Report of the Planning and Development Committee, BE AMENDED as follows:
  - (a) That 732303 Ontario Limited be transferred to Sergio Lauretani, and
  - (b) That the commencement of construction date be extended from 1988 August 1st to 1989 April 1st, and
  - (c) That the completion of construction date be extended from 1989 August 1st to 1990 April 1st, and
  - (d) That all other terms and conditions of the agreement shall remain the same and time is of the essence.

3. That no further action be taken to enforce the original grading plan in Strawberry Hills Subdivision's agreement between the City and Dundurn Construction Co. Ltd., dated 1985 July 26.

NOTE: City Council, at its meeting held 1985 June 25 approved Section 59 of the 10th Report for 1985 of the Transport and Environment Committee which approved the original grading plan in Strawberry Hills Subdivision. A copy of the Report of the Commissioner of Engineering outlining the reasons for no further action being taken is available from the Secretary of the Planning and Development Committee upon request.

4. That APPROVAL be given to Zoning Application 88-53, Frank Fontana, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at 832 West 5th Street, as shown on the map attached herewith and marked APPENDIX "A", on the following basis:

- (a) That the subject land be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9B for presentation to City Council.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton planning area.

NOTE: The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at 832 West 5th Street.

The effect of the by-law is to permit development of the subject lands for single-family dwellings.

5. That APPROVAL be given to Zoning Application 88-54, The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario, owner, for a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to "C" (Urban Protected Residential, etc.) District, for property located at the rear of property municipally known as 125 Centennial Parkway North, as shown on the map attached herewith and marked APPENDIX "B", on the following basis:

- (a) That the subject lands be rezoned from "L-mr-1" (Planned Development - Multiple Residential, etc.) District to "C" (Urban Protected Residential, etc.) District.
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-104 for presentation to City Council.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (d) That the Kentley Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to a "Single and Double" residential designation.

NOTE: The purpose of the By-law is to provide for a change in zoning of lands at the rear of property municipally known as No. 125 Centennial Parkway North, from "L-mr-1" (Planned Development - Multiple Residential, etc.) District to "C" (Urban Protected Residential, etc.) District.

The effect of the By-law is to allow the subject parcel of land to be rezoned and developed in conjunction with adjoining lands to the north for single family residential purposes.

6. That APPROVAL be given to Zoning Application 88-43, 642388 Ontario Inc., (Lorne Harbottle), owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at No. 224 Stone Church Road West, as shown on the map attached herewith and marked APPENDIX "C", on the following basis:

- (a) That the subject land be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17c for presentation to City Council.

- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at No. 224 Stone Church Road West.

The effect of the By-law is to provide for the development of three (3) single-family dwelling lots.

7. That APPROVAL be given to Zoning Application 88-59, Dieter Casper, owner, requesting a modification to the established "M-13" (Prestige Industrial) District regulations to permit a car audio installation shop within the proposed retail/warehouse building, for property located at No. 1221 Stone Church Road East, as shown on the map attached herewith and marked APPENDIX "D", on the following basis:

- (a) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law No. 6593 be modified to include the following variance as a special regulation:

- (i) Notwithstanding Section 17E (1) (c) of Zoning By-law No. 6593, the following additional commercial use shall be permitted:

1. car audio sales and installations

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1092, and that the subject lands on Zoning District Map E-59C be notated S-1092;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District E-59C for presentation to City Council.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "M-13" (Prestige Industrial) District for property located at No. 1221 Stone Church road East.

The effect of the By-law is to permit in addition to existing "M-13" uses, a car audio sales and installations business within the building.



8. That APPROVAL be given to Zoning Application 88-52, 660555 Ontario Limited, prospective owner, requesting a change in zoning from the "AA" (Agricultural) District to the "RT-30" (Street-Townhouse) District for property located between Upper Gage Avenue and Rita Avenue in the area south of Stone Church Road East, as shown on the map attached herewith and marked APPENDIX "E", on the following basis:

- (a) That the subject lands be rezoned from the "AA" (Agricultural) District to the "RT-30" (Street-Townhouse) District.
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49D for presentation to City Council.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a change in zoning from the "AA" (Agricultural) District to the "RT-30" (Street-Townhouse) District for a strip of land between Upper Gage Avenue and Rita Avenue in the area south of Stone Church Road East.

The effect of the By-law is to permit the use of the subject land in conjunction with adjoining land to the south for future Street-Townhouse Development.

9. That Zoning Application 88-49, A. Lombardi, L. Moning, E. Nagy, M. Webb, E. Mammoliti, B. Bodnar and E. Merone, owners, requesting changes in zoning from the "AA" (Agricultural) District, "C" (Urban Protected Residential, etc.) District and "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District modified, to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified, for property located at Nos. 832-848 Upper Wentworth Street, and No. 106 Fieldway Drive, shown as Blocks "1", "2" and "3" on the map attached herewith and marked APPENDIX "F", BE DENIED for the following reasons:

- (a) It conflicts with the intent of the Official Plan which designates the subject lands for "residential" use;
- (b) It conflicts with the intent of the approved Bruleville Neighbourhood Plan which designates the subject lands for "single and double residential" and "commercial residential conversion" use;

- (c) It would be incompatible with existing and future intended uses in the surrounding area; and,
- (d) It would set a precedent for future similar applications in the surrounding area.

10. That APPROVAL be given to Zoning Application 88-60, Luigi and Maria Del Sordo, owners, for a modification to the "M-14" (Prestige Industrial) District to permit a Paint and Body Repair Shop, for property located at No. 205 Nebo Road, as shown on the map attached herewith and marked APPENDIX "G", on the following basis:

- (a) That the "M-14" (Prestige Industrial) District regulations as contained in Section 17F of Zoning By-law No. 6593 be modified to include the following variance as a special requirement:

- (i) Notwithstanding Section 17F (1) of Zoning By-law No. 6593, the following additional commercial use shall be permitted:

<u>1. Commercial Use</u>	<u>Identification No.</u>
Paint and Body Repair Shop	6352

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1093, and that the subject lands on Zoning District Map E-59D be notated S-1093;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the "M-14" (Prestige Industrial) District for property located at No. 205 Nebo Road.

The effect of the By-law is to permit, in addition to the existing "M-14" uses, a Paint and Body Repair Shop.

11. (a) That APPROVAL be given to Official Plan Amendment No. 65 to redesignate property located on the north side of Stone Church Road East, between Upper Sherman Avenue and Upper Wentworth Street, as shown on the map attached herewith and marked APPENDIX "H" from "residential" to "commercial" designation, and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.

(b) That APPROVAL be given to Zoning Application 88-64, Hamilton General Homes (1971) Limited, owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-4" (Designed Neighbourhood Shopping Area) District, for property located on the north side of Stone Church Road East, between Upper Sherman Avenue and Upper Wentworth Street as shown on the map attached herewith and marked APPENDIX "H", on the following basis:

(i) That the subject land be rezoned from "C" (Urban Protected Residential, etc.) District to "G-4" (Designed Neighbourhood Shopping Area) District;

(ii) That the "G-4" (Designed Neighbourhood Shopping Area) District regulations as contained in Section 13D of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:

1. Notwithstanding Section 13D(1)B, commercial uses, of Zoning By-law No. 6593 only the following uses shall be permitted:

- (a) Retail Grocery Store;
- (b) Retail Drug Store;
- (c) Retail Bakery;
- (d) Barbershop, Hairdressing establishment or Beauty Parlour;
- (e) Retail Hardware Store;
- (f) A Collecting and Distributing Station for a Laundry or Dry Cleaner;
- (g) Bank;
- (h) Offices for Medical or Dental practitioners;
- (i) Offices for use by Insurance Agents, Lawyers, Auditors or Realtors.

2. Notwithstanding Section 13D(5) the subject lands shall have an area of not more than 6,070.0 m<sup>2</sup> (0.607 ha.).

- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1094, and that the subject lands on Zoning District Map E-27c be notated S-1094;
- (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District map E-27c for presentation to City Council;
- (v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 65.
- (vi) That the Rushdale Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double" residential to a "Commercial" land use.

**NOTE:** The purpose of the By-law is to provide for a change in zoning from "C" Urban Protected Residential, etc.) District to "G-4" Designed Neighbourhood Shopping ARea) District for property located on the north side of Stone Church Road East, between Upper Sherman Avenue and Upper Wentworth Street.

The effect of the By-law is to permit a neighbourhood shopping centre development on the site.

In addition, the By-law provides for the following By-law variances as special requirements:

- (a) To restrict the commercial developments to only the following uses:
  - 1. Retail Grocery Store;
  - 2. Retail Drug Store;
  - 3. Retail Bakery;
  - 4. Barbershop, Hairdressing establishment or Beauty Parlour;
  - 5. Retail Hardware Store;
  - 6. A Collecting and Distributing Station for a Laundry or Dry Cleaner;
  - 7. Bank;
  - 8. Office for Medical or Dental Practitioner;
  - 9. Office for use by Insurance Agents, Lawyers, Auditors or Realtors.
- (b) To restrict the maximum lot area of the site to 6,070 m<sup>2</sup> (0.607 ha.).



12. That the recommendation of the Local Architectural Conservation Advisory Committee to preserve the original Hamilton Skating Club (1889) of the Hamilton Thistle Club (3 bays deep), located at 85 Robinson Street BE DENIED.

NOTE: The Local Architectural Conservation Advisory Committee at its meeting held 1988 September 26 discussed the suggested rezoning of the Hamilton Thistle Club and felt that the building (excluding the curling rink in the rear) was historically significant and should be preserved.

13. That APPROVAL be given to Zoning Application 88-88, Dynacare Health Group Inc., owner, requesting a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit a 10 storey multiple residential building having 135 retirement units (i.e. Residential Care Facility - 162 residents), 110 condominium units, and support services to be developed in conjunction with the retention of part of the Thistle Club, for property located at No. 85 Robinson Street, shown on the map attached herewith and marked APPENDIX "I", on the following basis:

- (a) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of the Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That Section 4.(3)(a) shall not apply;
  - (ii) That notwithstanding Section 11.(1)(iii) a multiple dwelling having a maximum of 110 dwelling units shall be permitted;
  - (iii) That notwithstanding Section 11.(1)(iiib) a residential care facility having a maximum of 162 residents of at least 60 years of age shall be permitted;
  - (iv) That notwithstanding Section 11.(1)(viii) only the private club within the building or any portion thereof as existing at the date of the passing of this By-law shall be permitted;
  - (v) That notwithstanding Section 2.(2)A.(xiiaa) the residential care facility shall be permitted in the same building as the multiple dwelling;



- (vi) That notwithstanding Section 11.(3)(fi)(b) a side yard having a minimum width of 8.0 m shall be permitted along the westerly side lot line within 33.4 m of Robinson Street;
- (vii) That notwithstanding Section 11.(3)(iii)(b) a rear yard having a minimum depth of 8.0 m shall be permitted along Charlton Street;
- (viii) That notwithstanding Section 11.(5) a maximum gross floor area of 22,130.0 m<sup>2</sup> shall be permitted;
- (ix) That Section 11.(7) shall not apply;
- (x) That notwithstanding Section 18.(3)(vi)(b)(i) a canopy may project into a required front yard not more than 2.5 m;
- (xi) That notwithstanding Section 18.(3)(vi)(cc)(i) a balcony may project into a required front yard not more than 1.4 m;
- (xii) That notwithstanding Section 18A.(11)(a) and 18A.(12)(b) a landscaped area with a planting strip having a minimum width of 0.4 m shall be permitted adjacent to the loading area;
- (xiii) That notwithstanding Section 2.(2)(J)(xb) and 18A.(12) a pedestrian entranceway to underground parking shall be permitted within the required landscaped area;
- (xiv) That notwithstanding Table 1 of Section 18A a minimum of 173 parking spaces shall be provided.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1095, and that the subject lands on Zoning District Map W-5 be notated S-1095;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (e) That the Durand Neighbourhood Plan be amended by redesignating the subject lands to "Institutional and High Density Apartments".

NOTE: The purpose of the By-law is to provide for modifications to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for property located at No. 85 Robinson Street (Thistle Club).

The effect of the By-law is to permit a 10 storey multiple residential building having 110 condominium units, a residential care facility for 162 residents, and support services (e.g. dining, recreation) to be developed in conjunction with the retention of part of the Thistle Club.

In addition, the By-law provides for the following variances as special requirements:

- (a) To permit two principal buildings on the same lot for a residential purpose which is not permitted;
- (b) To permit a multiple dwelling having a maximum of 110 condominium units;
- (c) To permit a residential care facility having a maximum of 162 residents of at least 60 years of age, whereas a maximum of 20 residents is permitted;
- (d) To permit the residential care facility in the same building as the multiple dwelling;
- (e) To permit the continued use of the Thistle Club only within the existing building or any portion thereof;
- (f) To permit a minimum side yard width of 8.0 m along the westerly side lot line within 33.4 m of Robinson Street, whereas a minimum width of 13.5 m is required;
- (g) To permit a rear yard having a minimum depth of 8.0 m along Charlton Avenue, whereas a minimum depth of 13.5 m is required;
- (h) To permit a maximum gross floor area of 22,130.0 m<sup>2</sup> (2.8 F.A.R.), whereas a maximum of 13,381.38 m<sup>2</sup> (1.7 F.A.R.), is permitted;
- (i) To permit the residential care facility notwithstanding that it is located within 180.0 m of other residential care facilities;
- (j) To permit the canopy to project not more than 2.5 m into the required front yard, whereas a maximum projection of 1.5 m is allowed;

- (k) To permit the balconies to project not more than 1.4 m into the required front yard, whereas a maximum projection of 1.0 m is allowed;
- (l) To permit a planting strip having a minimum width of 0.4 m adjacent to the loading space, whereas a minimum width of 1.5 m is required;
- (m) To permit a pedestrian entranceway to the underground parking lot within a required landscaped area; and
- (n) To require a minimum of 173 parking spaces.

14. (a) That Official Plan Amendment No. 66 - Central Area Plan BE ADOPTED; and,
- (b) That the City Solicitor BE AUTHORIZED to prepare the By-law of Adoption for the Official Plan Amendment for presentation to City Council; and,
- (c) That the City Clerk BE AUTHORIZED to submit the Official Plan Amendment to the Hamilton-Wentworth Council for final approval once the By-law of Adoption is passed by the City.

NOTE: The original Central Area Plan was approved by the City on 1981 January 13. The Plan provided policy direction to guide the growth and development of the Central Area into the next century. The Central Area of the City is bounded by the Hamilton Harbour, the Niagara Escarpment, Queen Street and Victoria Avenue.

To implement the Plan, Council in 1984 established the Central Area Plan Implementation Committee (CAPIC). This Committee, which reports to the City's Planning and Development Committee, is comprised of representatives from business, labour and community organizations.

Since the adoption of the Central Area Plan in 1981, a number of major development proposals have been approved and/or implemented. In addition, given changing community expectations and economic trends, CAPIC perceived the need to undertake a review of the original Plan, and as such, received Council authorization to initiate the review.

CAPIC has completed the review, and has prepared a proposed Central Area Plan Update. CAPIC's intent was to incorporate the finalized Update in the Hamilton Official Plan through an Amendment.

On 1987 December 4, CAPIC endorsed the proposed Update for public presentation. On 1988 February 10, the Planning and Development Committee authorized CAPIC to initiate a public participation program to provide the public an opportunity to comment on the proposed Update.

CAPIC has carefully reviewed and discussed each comment received in the context of the entire Update. In light of these comments, CAPIC has agreed to incorporate certain changes and thereby has resolved all outstanding issues. These changes do not alter the Plan's basic philosophy.

Based on the Public input and comments on the proposed Update, CAPIC has endorsed a Draft Central Area Plan on 1988 September 9.

A copy of the Draft Official Plan Amendment Central Area Plan is available from the Secretary upon request.

15. That APPROVAL be given to Subdivision Application 88-03, "Fairhill Developments"; Fairhill Developments Ltd., owner, to establish a draft plan of condominium located on the south side of Brucedale Avenue east of Upper James Street, subject to the following conditions:
- (a) That this approval apply to the plan, prepared by MacKay, MacKay & Peters Limited dated 1987 December 15.
  - (b) That this plan be revised to conform with the approved Site Plan under DA-88-23.
  - (c) That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.



16. (a) That APPROVAL be given to Subdivision Application 88-04, Lousan Developments, owner, to establish a draft plan of subdivision east of Upper Wentworth Street and north of Rymal Road, subject to the following conditions:
- (i) That this approval apply to the plan proposed by MacKay, MacKay and Peters Limited, dated 1987 November 6 revised to show 28 lots and four blocks (Blocks 29, 30, 31 and 32) as 0.3 m reserves.
  - (ii) That the streets be dedicated as public highways on the final plan.
  - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (viii) That Street "A" align centreline to centreline with Acadia Drive as shown on Plan 62M-544.
  - (ix) That Lots 1 to 28 not be registered until Acadia Drive north of the plan is registered, or other sewer service arrangements have been approved by Regional Council.
  - (x) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.



- (b) That the Subdivision Agreement BE ENTERED INTO by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-04), Lousan Developments, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the neighbourhood plan BE AMENDED accordingly.

17. That APPROVAL be given to Subdivision Application 88-15, "Arm-Orn Property", Arm-Orn Properties Ltd., owner, to establish a draft plan of condominium located on the north side of Bigwin Road west of Pritchard Road subject to the following conditions:

- (a) That this approval be given to the plan, prepared by A. J. Clarke and Associates, dated 1988 July 12.
- (b) That the owner receive the approval of a change to the Site Plan (DA-88-25) to allow a building length of 50.31 m.
- (c) That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

18. (a) That APPROVAL be given to Subdivision Application 88-10, Sam Aquino, owner, to establish a draft plan of subdivision south of Stone Church Road East, west of Upper Sherman Avenue, subject to the following conditions:

- (i) That this approval apply to the plan prepared by MacKay, MacKay and Peters Limited, dated 1988 March 24, showing 51 lots and 6 blocks, revised in red to show relotting in the areas for "zero-lot-line" development and dimensional changes to street curves and corners.
- (ii) That the owner acquire sufficient land to establish all streets included in the final plan to the full required width, if the required land is not to be established as a public highway by City of Hamilton by-law.
- (iii) That only those parts of the plan to which road access and municipal services are available shall be released for registration.

- (iv) That the streets and street widening (Block "56") be dedicated as public highways on the final plan.
- (v) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (vi) That the final plan conform with the Zoning By-law approved under The Planning Act.
- (vii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (viii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (ix) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
- (x) That any dead-end or open side of the road allowances created by the plan be terminated in 0.3 m reserves to be conveyed to the City of Hamilton and to be held by the City until required for the extension of the road allowance or for the development of abutting lands.
- (xi) That Blocks "52" to "55" inclusive be developed only in conjunction with abutting lands.
- (xii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
- (xiii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a Subdivision Agreement BE ENTERED INTO by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-10), Sam Aquino, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

19. That the City Clerk BE DIRECTED TO notify the Clerk of the Regional Municipality of Hamilton-Wentworth that the City of Hamilton does not object to the proposed Amendment 42 to the Niagara Escarpment Plan.

NOTE: The Niagara Escarpment Commission has requested the City of Hamilton to comment on proposed Amendment 42 to the Niagara Escarpment Plan which has been initiated by Taro Aggregates Inc. (758375 Ontario Ltd.). The amendment will amend the Mineral Resource Extraction Area designation to Urban Area in order to permit urban residential development in accordance with the Heritage Green Community - Secondary Plan. The subject lands are located entirely within the City of Stoney Creek.

20. That leave be granted to introduce the following Bills

- (a) Bill D-118 A By-law to amend Zoning By-law No. 6593 respecting lands located at the north-west corner of Rymal Road East and Upper Wentworth Street, municipally known as No. 401 Rymal Road East.
- (b) Bill D-119 A By-law to adopt Official Plan Amendment No. 64 respecting lands located on the north side of Rymal Road East, between Upper Wentworth street and the Hydro Right-of-Way.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1988 September 28

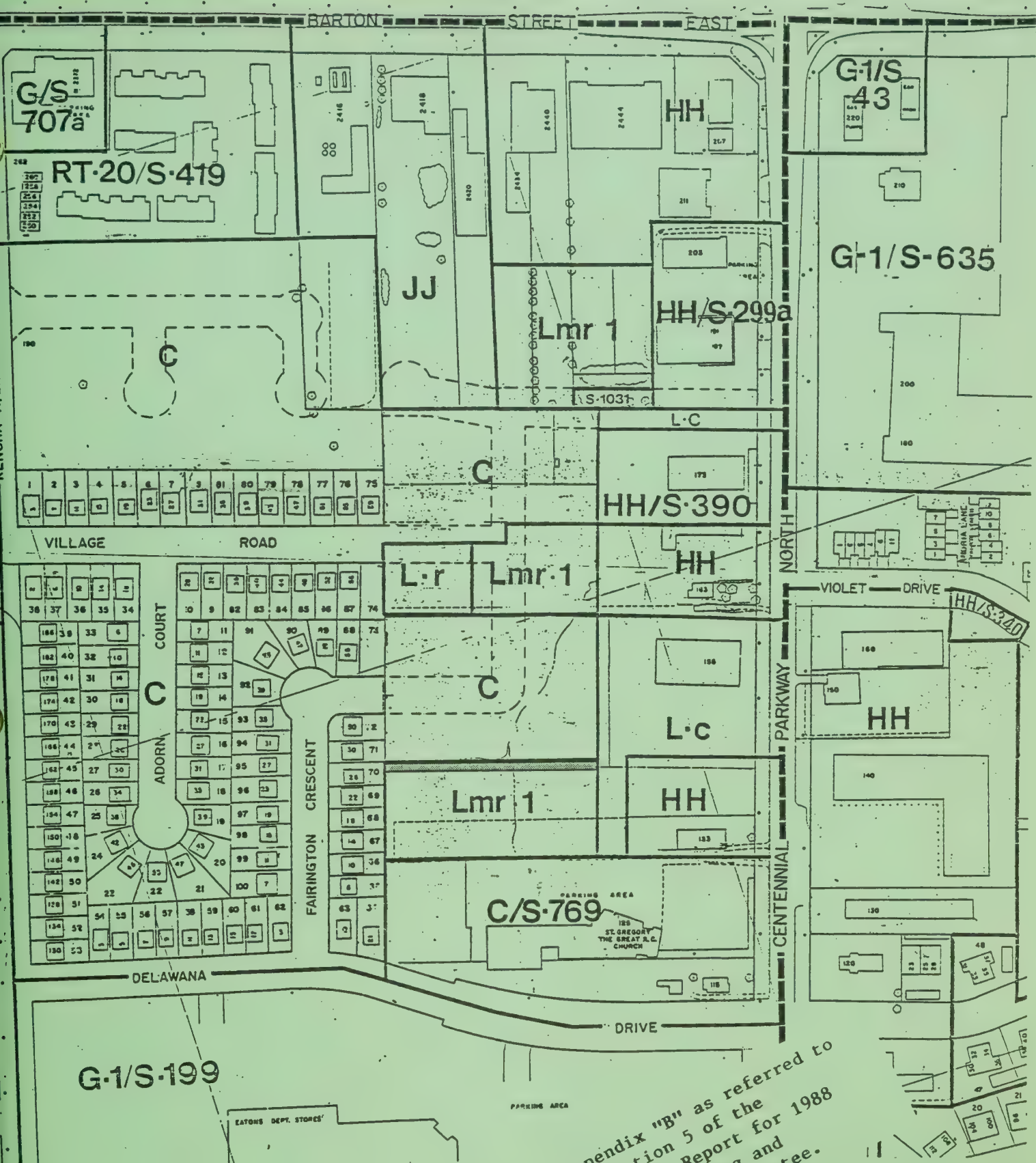










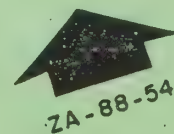


# **LEGEND**

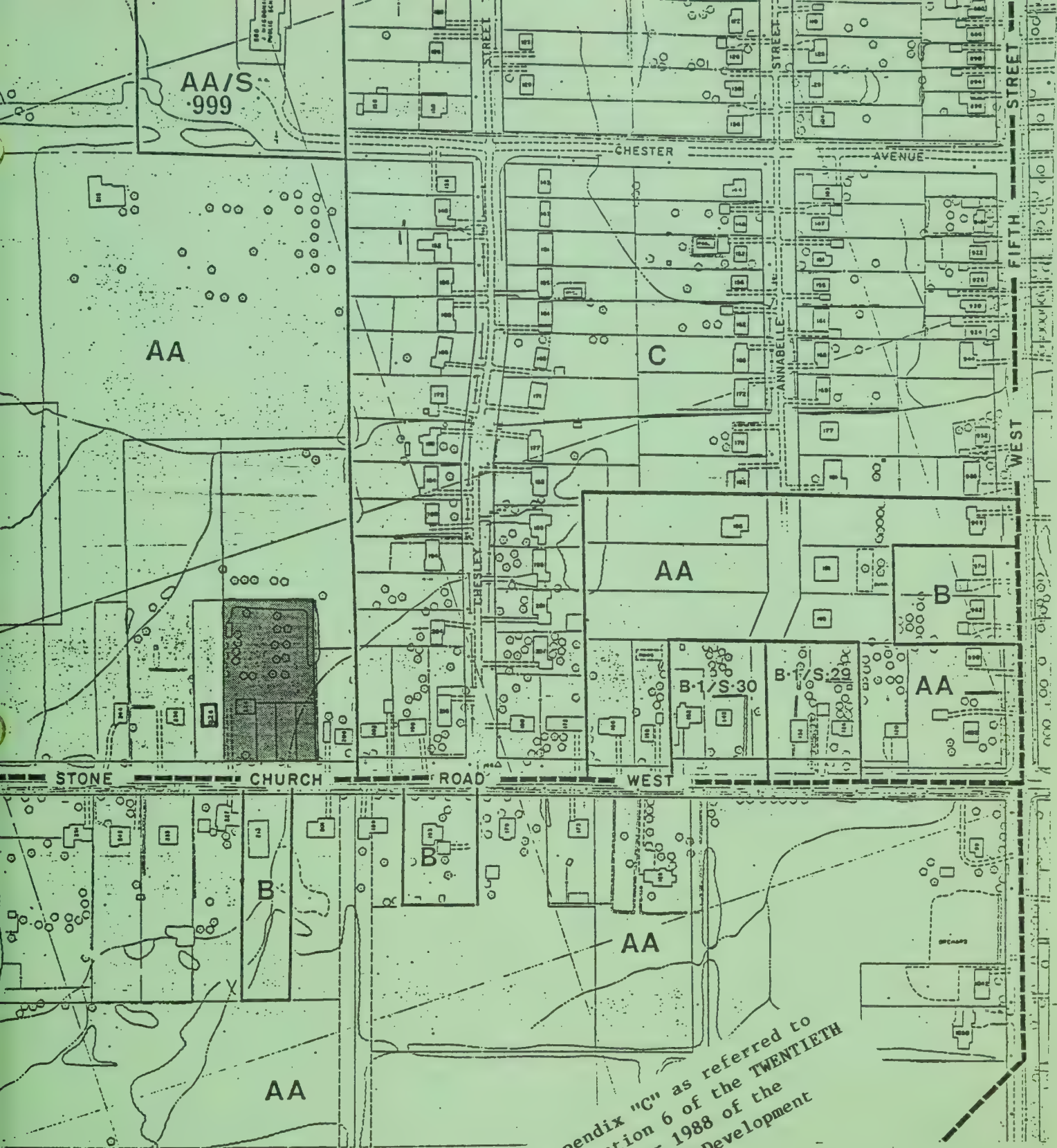


SITE OF THE APPLICATION

Appendix "B" as referred to in Section 5 of the TWENTIETH Report for 1988 of the Planning and Development Committee.







# LEGEND



SITE OF THE APPLICATION

Appendix "C" as referred to  
in Section 6 of the TWENTIETH  
Report for 1988 of the  
Planning and Development  
Committee.











Legend

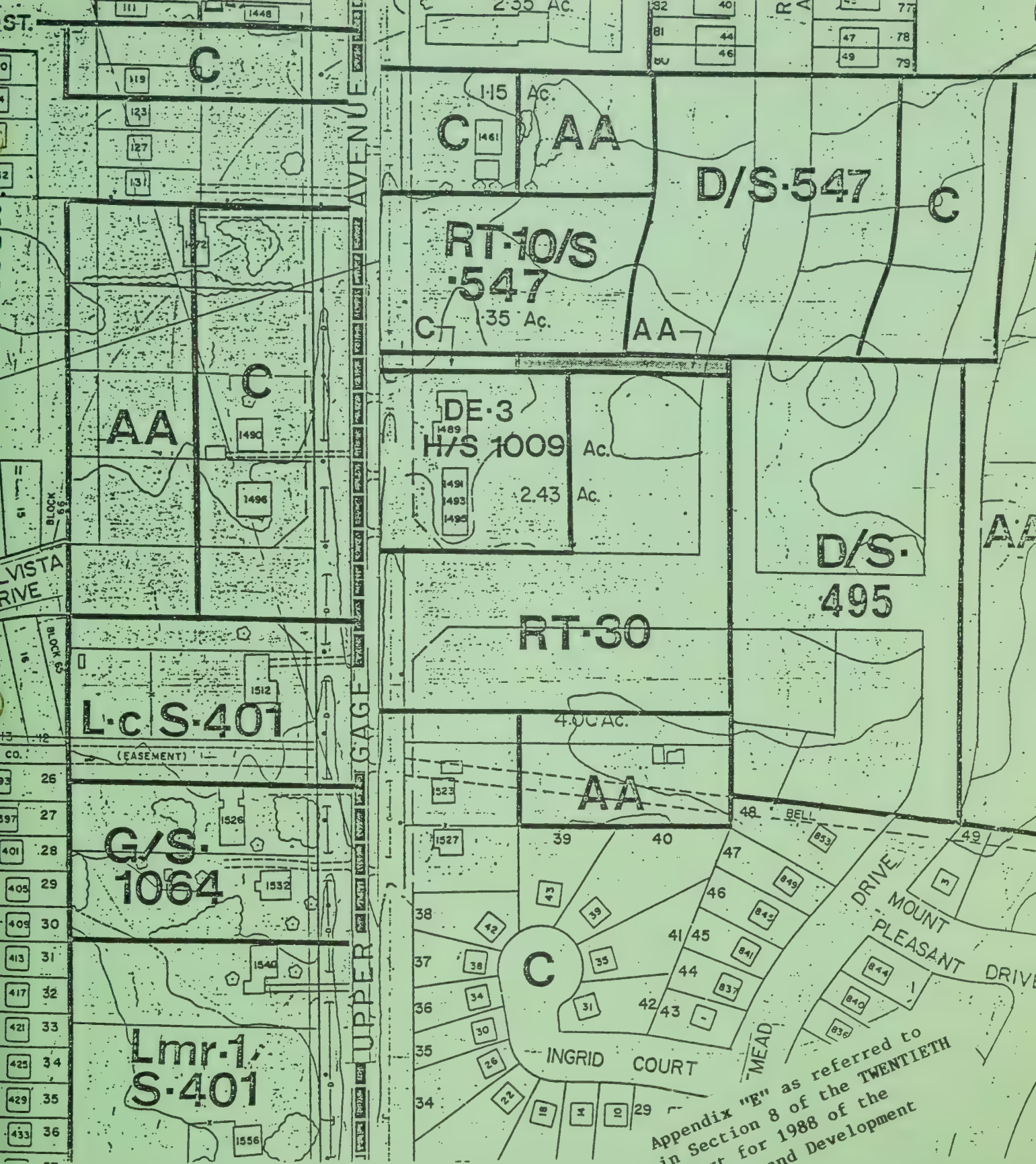


Site of the Application

Appendix "D" as referred to  
in Section 7 of the TWENTIETH  
Planning and Development  
Committee.







# Legend



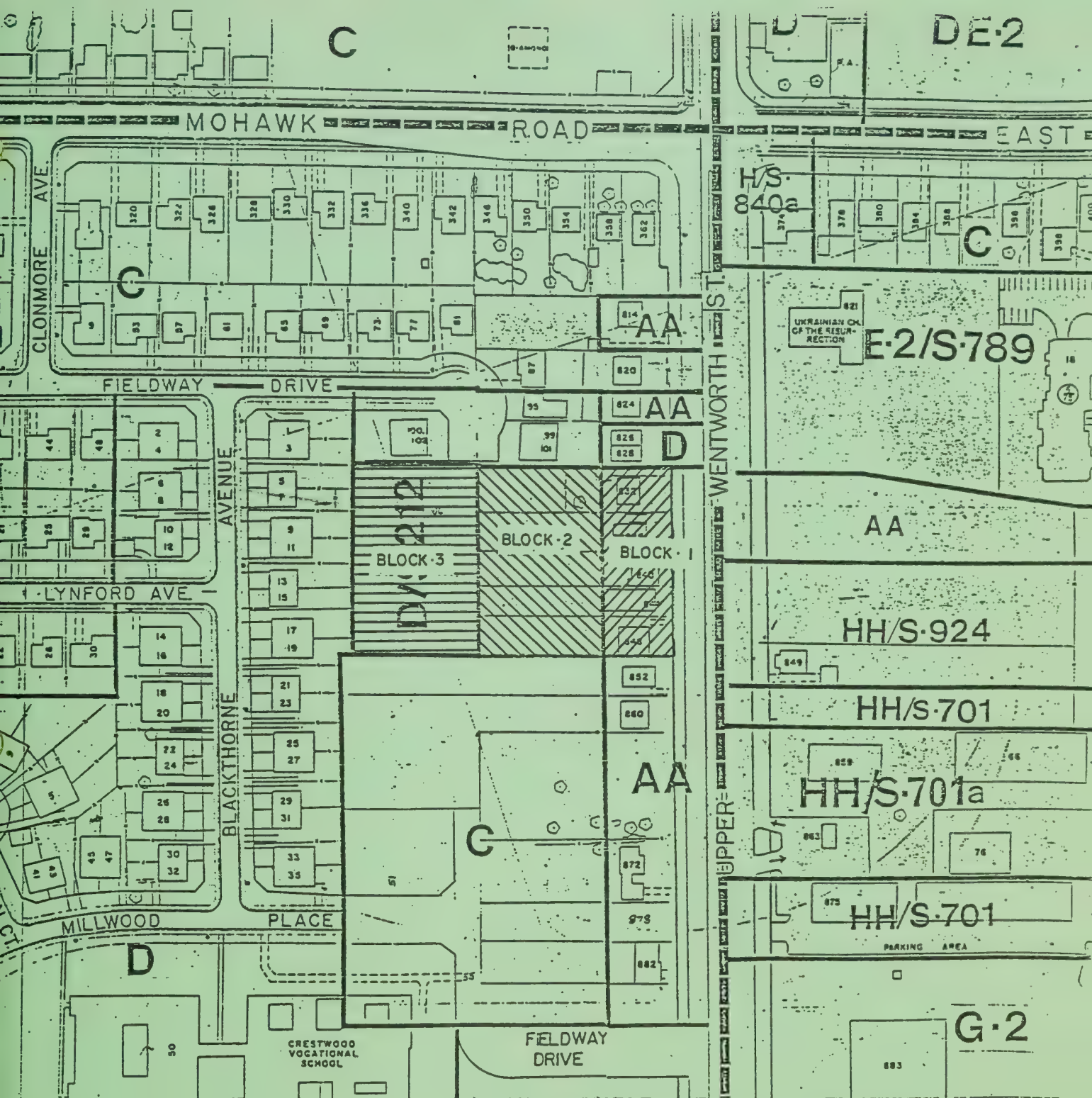
Site of the Application

Appendix "g" as referred to in Section 8 of the TWENTIETH Report for 1988 of the Planning and Development Committee.









Appendix "F" as referred to in Section 9 of the TWENTIETH Report for 1988 of the Planning and Development Committee.

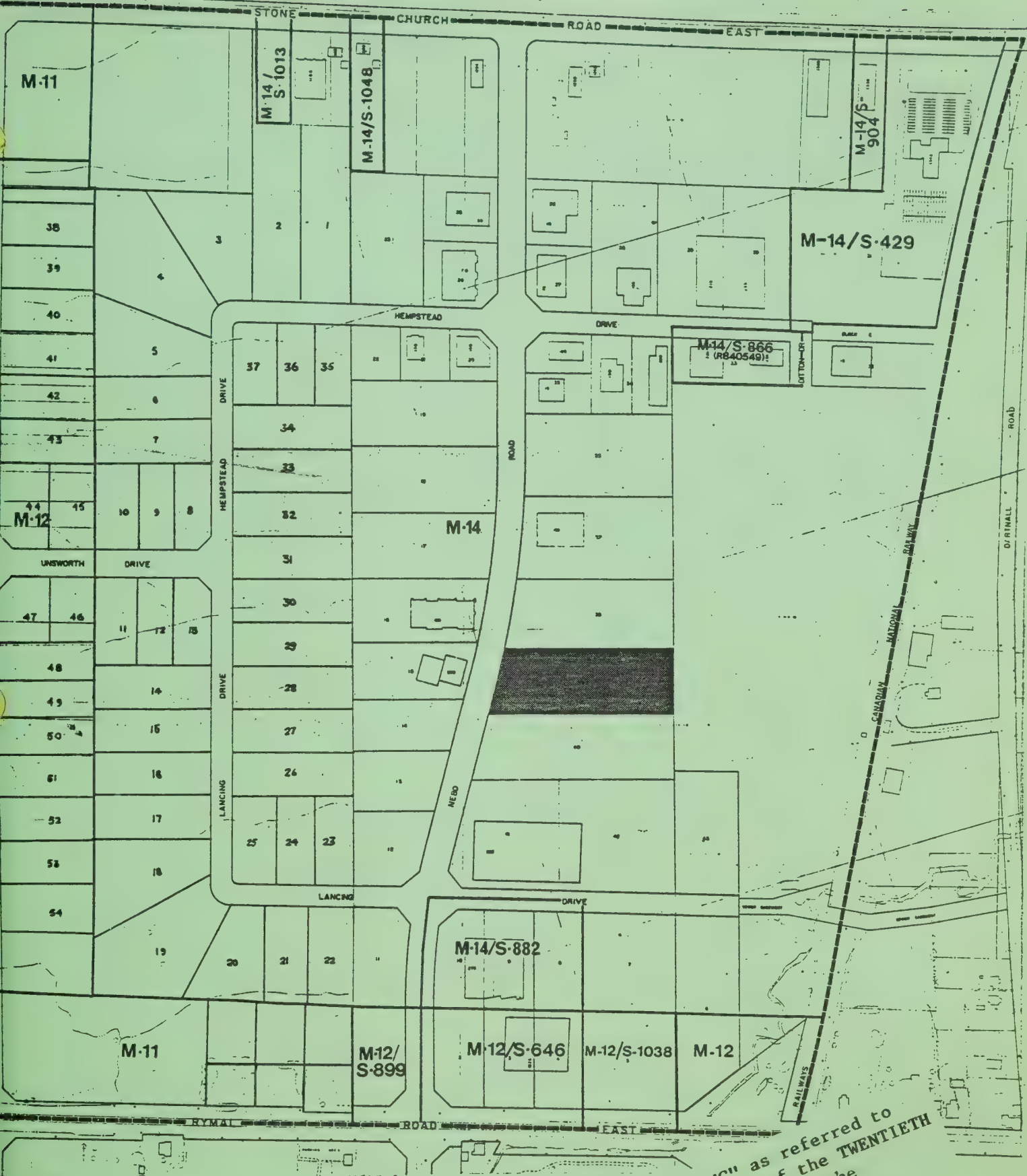
### Legend

#### Proposed change in zoning:

- BLOCK 1** From "AA"(Agricultural) District to "E"(Multiple Dwellings, Lodges, Clubs, etc.) District, modified
- BLOCK 2** From "C" (Urban Protected Residential, etc.) District to "E"(Multiple Dwellings, Lodges, Clubs, etc.)District, modified.
- BLOCK 3** From "D"(Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District, modified to "E"(Multiple Dwellings, Lodges, Clubs, etc.) District, modified..







## LEGEND



SITE OF APPLICATION

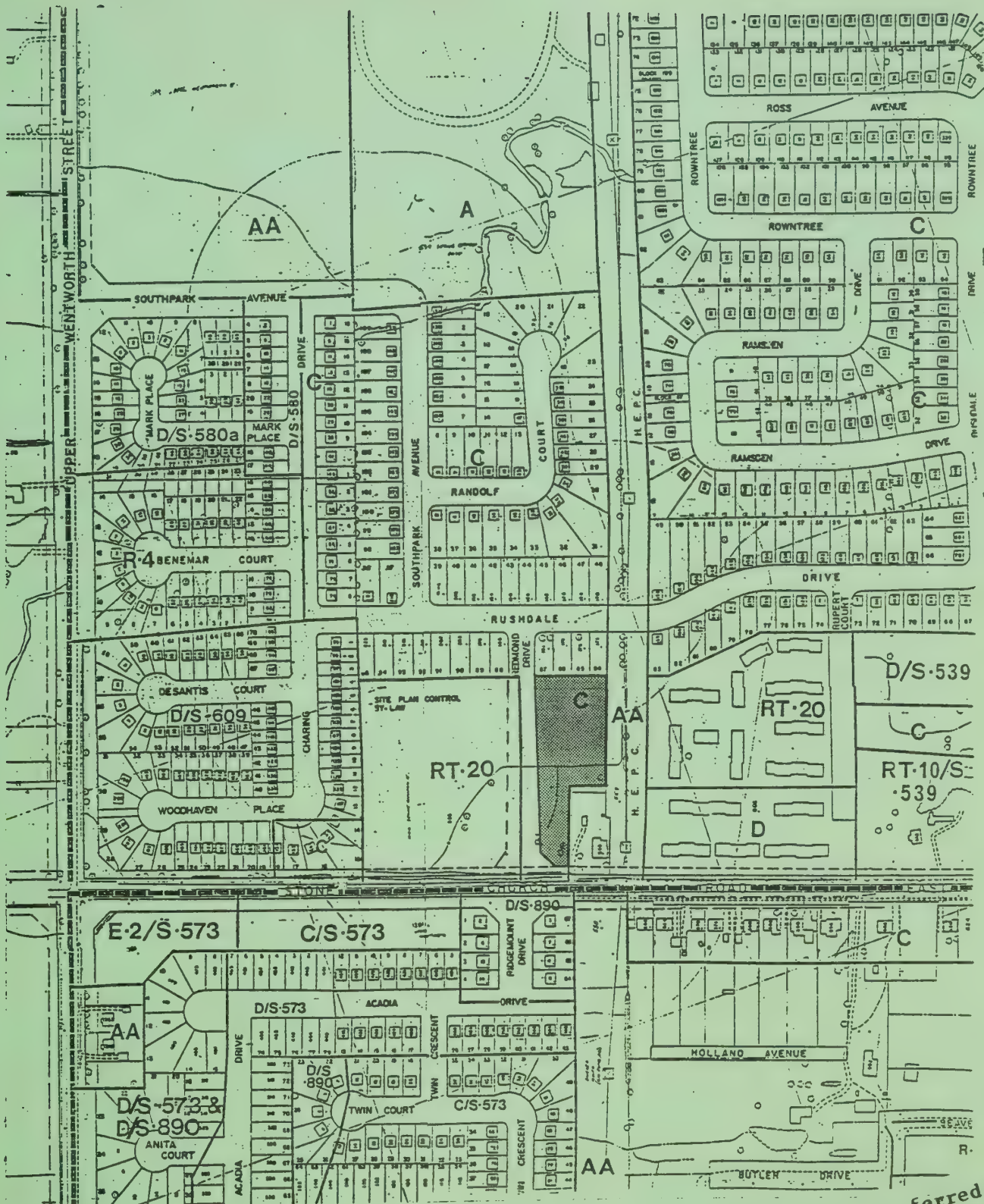
D-24

Appendix "C" as referred to  
in Section 10 of the TWENTIETH  
Report for 1988 of the  
Planning and Development  
Committee.



APPENDIX



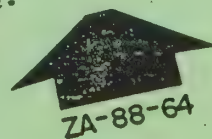


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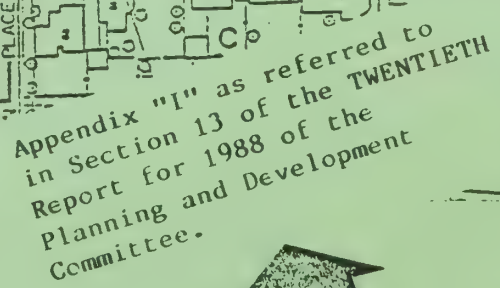
Site of the Application

Appendix "H" as referred to  
in Section 11 of the TWENTIETH  
Report for 1988 of the  
Planning and Development  
Committee.









## APPENDIX "C"









## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its ELEVENTH Report for 1988 and respectfully recommends:

1. That the City Clerk be directed to maintain a separate attendance record for all Regular and Special meetings of City Council and Standing Committees so that recorded absences from Special meetings are not included in the attendance record of the members of City Council for Regular meetings.
2. (a) That the name of the Executive Committee be changed to the Co-ordinating Committee effective for the 1988 - 1991 Council.  
(b) That City of Hamilton Procedural By-law No. 82-203 be amended to reflect this change.
3. That the following recommendations with respect to the Executive (Co-ordinating) Committee not be approved.
  - (a) That the composition of the Executive (Co-ordinating) Committee be altered for the 1988 - 1991 Council from the Mayor (Chairman) and four (4) members of City Council to the Mayor and the Senior Alderman of each Ward who shall have first choice to sit on the Committee.
  - (b) That the duties and responsibilities of the Finance and Personnel Committees be transferred to the Executive (Co-ordinating) Committee.
  - (c) That the City of Hamilton Procedural By-law No. 82-203 be amended to reflect these changes.

**Note:** The above matter was lost on a tie vote at the meeting of the Legislation Committee and in accordance with policy is now being submitted to City Council for its consideration and disposition.

It should also be noted that the recommendations contained in Sections 2 and 3 above are the result of the Committee's deliberations on the Notice of Motion of Alderman Agro relative to the transfer of the Executive Committee duties to the Finance Committee which was referred to the Legislation Committee by City Council for study.



4. That approval be given to the following schedule of Market Days at the Hamilton Farmers' Market during the 1988 Christmas holidays.

<u>Christmas Week</u>	<u>New Year's Week</u>
Tuesday, 1988 December 20	Tuesday, 1988 December 27
Thursday, 1988 December 22	Thursday, 1988 December 29
Friday, 1988 December 23	Friday, 1988 December 30
Saturday, 1988 December 24	Saturday, 1988 December 31

5. (a) That the Hamilton Farmers' Market Fees be increased by four (4%) percent in accordance with Schedule "B" attached hereto.
- (b) That the City Solicitor be directed to prepare an a by-law to amend By-law No. 81-180 "To regulate the Hamilton Farmers' Market" to reflect this increase.

Note: This increase will generate an additional \$14 680 in revenue.

6. (a) That the Dog Licence Fees for 1989 be increased in the amounts as follows:

1. One spayed or neutered dog	\$15
2. Each additional spayed or neutered dog	\$15
3. One not spayed or neutered dog	\$32
4. Each additional not spayed or neutered dog	\$32

- (b) That Schedule "A" of City of Hamilton By-law No. 85-148 Respecting Control and Licencing of Dogs, be amended to reflect this increase.

Note: The above amounts represent an increase of approximately three (3%) and will generate an additional \$9 000 in revenue.

7. That the following resolution from the City of Toronto respecting the Free Trade Agreement, be received.

"WHEREAS given that the Free Trade Agreement will negatively and overwhelmingly change the social, cultural and economic nature of Canada;

THEREFORE BE IT RESOLVED:

- (a) That City Council indicate to the Federal Government its opposition to the Free Trade Agreement as presently drafted;
- (b) That City Council respectfully but strongly request that a national opinion be sought on this matter through an election;

- (c) That the Honourable John Turner, Leader of the Liberal Party; and the Honourable Ed Broadbent, Leader of the New Democratic Party be so advised; and
  - (d) That this resolution be circulated to all Canadian Municipalities with a population of over 50 000 for possible endorsement."
8. That approval be given to the request of CUPE, Local 167 to use the City Hall facilities for their Annual Children's Christmas Party on Sunday, 1988 December 18 from 1:00 o'clock p.m. to 4:00 o'clock p.m.
9. That approval be given to the request of the United Way of Burlington, Hamilton-Wentworth to erect a United Way Campaign Thermometer in front of City Hall from 1988 October 03 to 1988 November 28.
10. (a) That approval be given to the request of the United Nations Association to use the City Hall Council Chambers on 1988 October 24 from 7:00 o'clock p.m. to 10:00 o'clock p.m. for the celebration of United Nations Day.
- (b) That light refreshments in the form of coffee and juice be provided for approximately 200 people who will be attending this ceremony.
- (c) That this expenditure be charged to Account No. 0373-1002, Receptions City Hall.
11. That civic awards be made to members of the Leander Boat Club who won the Senior Lightweight Four and the Intermediate Lightweight Women's Eight at the Royal Canadian Henley Regatta held recently at St. Catharines, Ontario.
12. That civic awards be made to Kathy Harrison and Mark Daley of Hamilton who were members of the Ontario Basketball Provincial Team Program which captured the National Championship in both the men's and women's division held in Fredericton, New Brunswick 1988 August 01 to August 06.

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

John Thompson, Secretary  
1988 October 03

mjw

## SCHEDULE "B"

(Section 7)

By-law No. 87-

## PART 1: PRODUCERS AND DEALERS' FEES

Stand Number	Location	Amount of Producers' and Dealers Fees	
		Per Month	Per Day
1 to 8	(Refrigeration Units)	\$ 240.00	\$ N/A
12 to 18	(Refrigeration Units)	240.00	N/A
22	(Refrigeration Units)	240.00	N/A
9, 10, 11	(Refrigeration Units)	200.50	N/A
19, 20, 21	(Refrigeration Units)	200.50	N/A
23 to 46	Ramp	140.00	22.00
47 to 62a	North Wall - Main Floor	140.00	22.00
63 to 70	West Wall - Main Floor	140.00	22.00
71 to 95	South Wall - Main Floor & In ramp	140.00	22.00
96 to 100	Loading Docks (from 7:30 a.m. - 4:00p.m.	140.00	22.00
101 to 111	East Wall - Main Floor	140.00	22.00
112 to 143	Stands in Middle (North Side) from east to west	140.00	22.00
144 to 175	Stands in Middle (South Side) from west to east	140.00	22.00
30a, 36a, 37a, 46a	"	74.50	10.50
70a, 72a		59.25	10.50
92		197.00	22.00
176	Coffee Shop Stand	280.00	N/A

Schedule "B" as referred  
to in Section 5 (a) of the  
ELEVENTH Report of the  
Legislation Committee

NOTICE OF MOTION





## NOTICE OF MOTION

Alderman D. Ross gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

**RESOLVED:** That a letter be sent to the Minister of Housing informing her that the City of Hamilton would like clarification on the announcement made by the Minister re the 25% affordable housing, and said letter to include the following:

1. What is the Minister's definition of affordable housing?
2. Who is going to administer the legislation?
3. Who is going to pay for the implementation of the legislation?
4. What does 25% of all new housing mean?
5. What input, if any, will the municipalities have in regards to this legislation prior to having it passed into Law?
6. What did the Minister mean when she said that funds (what funds) would be withheld from any municipality that did not comply with the legislation?



BY-LAW NO. -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 11th DAY OF OCTOBER A.D., 198 .

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 198

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 88-

TO CLOSE AND SELL A TRIANGULAR PARCEL OF  
ROAD ALLOWANCE ABUTTING 24 RAVENSCLIFFE AVENUE  
DESIGNATED AS PART 1, ON PLAN 62R-8133

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to stop-up and sell any highway or part of a highway;

AND WHEREAS it is deemed expedient to stop-up and sell the highway described herein;

AND WHEREAS Terrence John Woods and Lauren Jane Menage are the abutting owners to the south of the highway;

AND WHEREAS The Corporation of the City of Hamilton is the abutting owner to the north of the highway;

AND WHEREAS Notice of the said by-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The highway described in Schedule "A" attached hereto and forming part of this by-law is hereby stopped-up.
2. Terrence John Woods and Lauren Jane Menage may purchase the said highway hereby stopped-up for the sum of TWELVE THOUSAND DOLLARS (\$12,000.00), all in accordance with and subject to the terms and conditions of an Agreement dated December 1, 1985 between Audrius Gureckas and Catherine Gureckas and The Corporation of the City of Hamilton, assigned to Terrence John Woods and Lauren Jane Menage on September 2, 1987.
3. If the said above-mentioned Terrence John Woods and Lauren Jane Menage do not purchase the said highway, the sale of the said property may be authorized to any other person as may be approved by a subsequent by-law.
4. By-law No. 88-175, passed on the 27th day of July, 1988, is hereby repealed.

PASSED this                      day of                      , A.D. 1988.

City Clerk

Mayor

(1985) 16 R.T.E.C. 32, September 24

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 88-

TO INCORPORATE PART 1, PLAN 62R-9553  
INTO RITA AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Rita Avenue by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Rita Avenue.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this                      day of                      A.D.  
1988.

City Clerk

Mayor

(1988) 12 R.T.E.C. 24(e)(iv), August 30



SCHEDULE "A"

Part of Lot 6, Concession 8,  
in the former geographic Township of Barton  
City of Hamilton  
Regional Municipality of Hamilton-Wentworth  
designated as Part 1 on Reference Plan 62R-9553  
in the Land Registry Division of Wentworth

BY-LAW NO. 88 -

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 9 (Through Highways) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by deleting therefrom the following item, namely:-

"Main Street, from the westerly limit of Parkdale Avenue to the Westerly City Limits, except at Osler Drive".

and by adding thereto the following item, namely:-

"Main Street, from the westerly limit of Parkdale Avenue to the easterly limit of Strathearne".

2. Schedule 10 (Stops at Intersections) is hereby amended by adding thereto the following items, namely:-

"Main	Westbound	Strathearne
Beston	Southbound	Landron
Locheed	Northbound	Landron".

3. Schedule 16 (No Left Turn at Certain Intersections) is hereby amended by adding thereto the following item, namely:-

"Main	Westerly	Strathearne	Anytime".
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PASSED THIS                      DAY OF                      , A.D. 198 .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

BY-LAW NO. 88 -

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended

- (a) by adding to the Eastbound Column of the Stoney Creek Saltfleet Community Extension Table the following item, namely:-

"Limeridge opposite Lynbrook (MB)"

and by adding to the westbound Column the following item, namely:-

"Limeridge at Garth (MB)"

- (b) by adding to the Outbound Column of the Upper Ottawa Table the following item, namely:-

"Nebo at No. 180 Nebo (MB)"

2. Schedule 25A (Parking Time Limits) is hereby amended:

- (a) by deleting from Section 8 (Two Hour Limit) the following item, namely:-

"Delmar	North	Daytona to a point 597 feet east of Columbia".
---------	-------	--

and by adding thereto the following item, namely:-

"Delmar	North	Columbia to 597 feet east".
---------	-------	-----------------------------

- (b) by adding thereto the following subsection, namely:-

"22. One Hour Limit between the hours of 9 o'clock in the forenoon and 8 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Delmar	North	Daytona to Columbia".

- (c) by adding thereto the following subsection, namely:-

"23. One Hour Limit between the hours of 7 o'clock in the forenoon and 11 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Century	Both	Steven to Wentworth".

3. Schedule 25B (Parking Time Limits) is hereby amended by adding to Section 4 (One Hour Limit) the following item, namely:

"Mulberry	Both	Park to MacNab".
-----------	------	------------------

4. Schedule 26 (No Parking Areas) is hereby amended by deleting therefrom the following items, namely:-

"Riverdale	West	Gainsborough to 66 ft. north
Riverdale	East	Delawana to south City Limits".

and by adding thereto the following items, namely:-

"Riverdale	West	Gainsborough to 419 ft. north
Riverdale	East	Delawana to 184 feet north of
		Glenburn
Riverdale	East	Glenburn to south City Limits".

PASSED THIS                      DAY OF                      , A.D. 198 .

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE NORTH-WEST CORNER OF RYMAL ROAD EAST  
AND UPPER WENTWORTH STREET,  
MUNICIPALLY KNOWN AS NO. 401 RYMAL ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 59, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by the Minister under the Planning Act at the time of the passing of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-18D and E-18E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "D" (Urban Protected Residential, - One and Two Family Dwellings, Townhouses, etc.) District, the land comprised in Block 1, and
- (b) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the land comprised in Block 2, and
- (c) by changing from "AA" (Agricultural) District to "RT-30" (Street - Townhouse) District, the land comprised in Block 3, and
- (d) by changing from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District, the land comprised in Block 4, and
- (e) by changing from "AA" (Agricultural) District to "G-1" (Designed Shopping Centre) District, the land comprised in Block 5,

the extent and boundaries of each of which Blocks 1, 2, 3, 4 and 5 are shown on a plan hereto annexed as Schedule "A".

2. The "G-1" (Designed Shopping Centre) District provisions applicable to the land referred to in section 1(e), are amended to the extent only of the special requirement that,



- (a) notwithstanding section 13A(1) of By-law No. 6593, the following

COMMERCIAL USES shall be prohibited:

1. A restaurant or refreshment room.
2. A manual car wash.
3. A mechanical car wash.
4. A coin-operated car wash.
5. A high-speed mechanical car wash.
6. An automobile service station.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-1" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1087.

5. Sheets No. E-18D and E-18E of the District Maps are amended by marking the land referred to in section 1(e) of this by-law, S-1087.

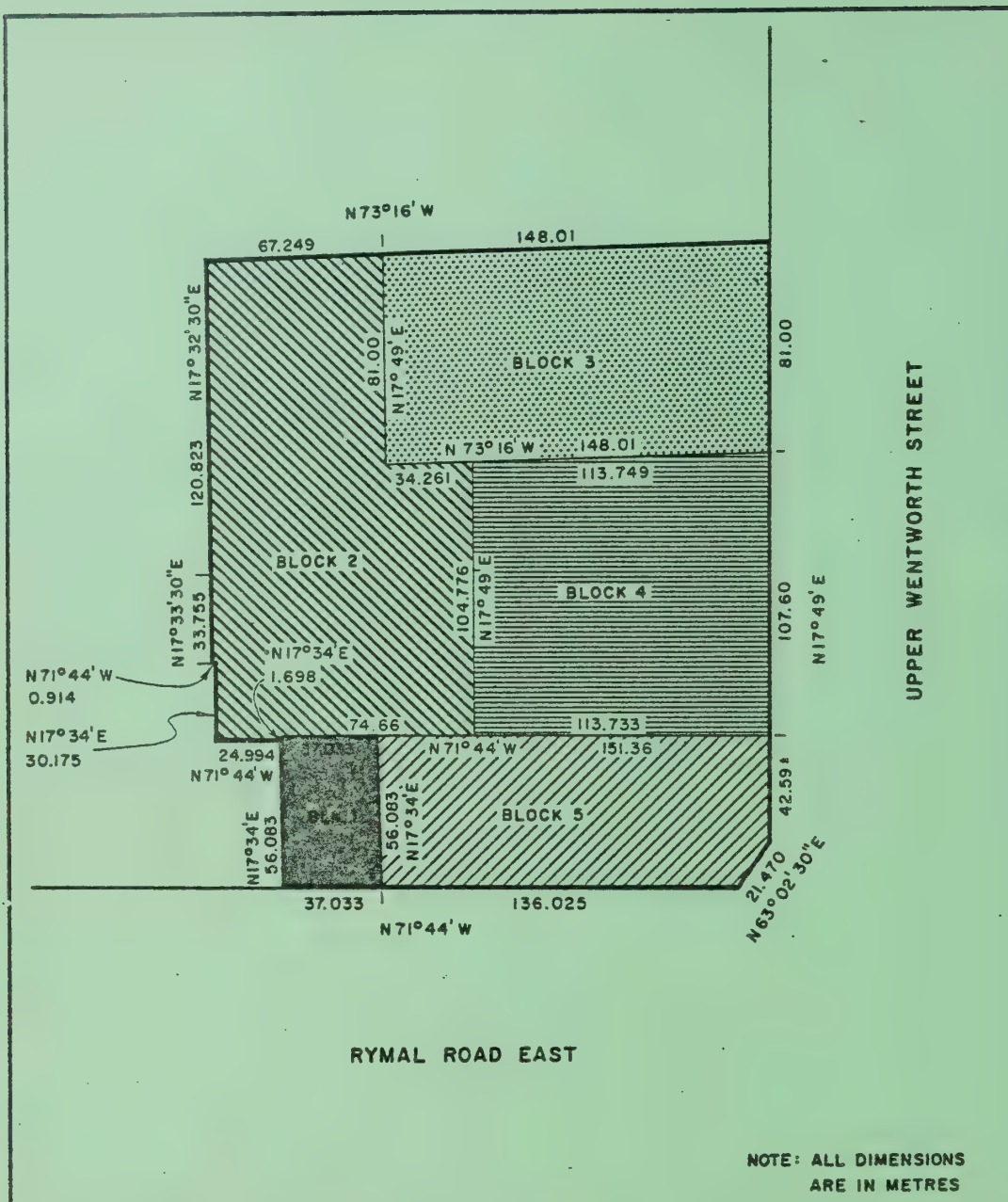
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

(1988) 16 R.P.D.C. 24, July 26  
Wentwal Developments Ltd., Owner  
ZA-88-12



THIS IS SCHEDULE "A" TO BY-LAW NO. 88-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

North	Scale	Reference File No.	Legend
	NOT TO SCALE	ZA 88-12	CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:
	Date	Drawn By	
	SEPT. 19, 1988	Z. K.	
<p><b>CITY OF HAMILTON</b></p> <p><b>SCHEDULE "A"</b></p> <p><b>MAP FORMING PART OF</b></p> <p><b>BY-LAW NO. 88-</b></p> <p><b>TO AMEND BY-LAW NO. 6593</b></p> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>			<p>BLOCK 1  "D" (URBAN PROTECTED RESIDENTIAL ONE AND TWO FAMILY DWELLINGS, TOWNHOUSES ETC.) DISTRICT.</p> <p>BLOCK 2  "RT-20" (TOWNHOUSE - MAISON-ETTE) DISTRICT.</p> <p>BLOCK 3  "RT-30" (STREET - TOWNHOUSE) DISTRICT.</p> <p>BLOCK 4  "E-2" (MULTIPLE DWELLINGS) DISTRICT.</p> <p>BLOCK 5  "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT, MODIFIED.</p>

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Adopt:

Official Plan Amendment No. 64

Respecting:

LANDS LOCATED ON THE NORTH SIDE OF RYMAL ROAD EAST,  
BETWEEN UPPER WENTWORTH STREET AND THE HYDRO RIGHT-OF-WAY

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 64 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

## TO THE

## CITY OF HAMILTON OFFICIAL PLAN

The following text, together with Schedules "A" and "B", attached hereto, constitute Official Plan Amendment No. 64.

PURPOSE

The purpose of this Amendment is to permit the development of a Neighbourhood Shopping Centre by redesignating the subject lands from "Residential" to "Commercial", and by establishing a "Special Policy Area" to exempt the proposal from the provisions of Policy D.2.5 x).

LOCATION

The lands affected by this Amendment are located on the north side of Rymal Road East, between Upper Wentworth Street and the Hydro Right-of-Way, within the Butler Neighbourhood.

BASIS

Council has deemed that a Neighbourhood Shopping Centre would be an appropriate use at this location, and compatible with the surrounding land use pattern.

ACTUAL CHANGES

1. Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.
2. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.37:  
  
"Notwithstanding Policy D.2.5 x), for those lands shown on Schedule "B" as SPECIAL POLICY AREA 42, a Neighbourhood Shopping Centre will be permitted on the 4.8 ha site, located on the north side of Rymal Road East, between Upper Wentworth Street and the Hydro Right-of-Way, in addition to the Neighbourhood Shopping Centres identified on Schedule "B-2" as Special Policy Area 22."
3. The following be added to Schedule "B" - Special Policy Areas:
  - Special Policy Area 42; and,
  - "Area 42 refer to Policy A.2.9.3.37" in the legend,as shown on the attached Schedule "B" of this Amendment.



IMPLEMENTATION

A Zoning By-law amendment will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 88-\_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 1988.

THE CORPORATION OF  
THE CITY OF HAMILTON

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

CL-M:CS  
Attach.  
0015P



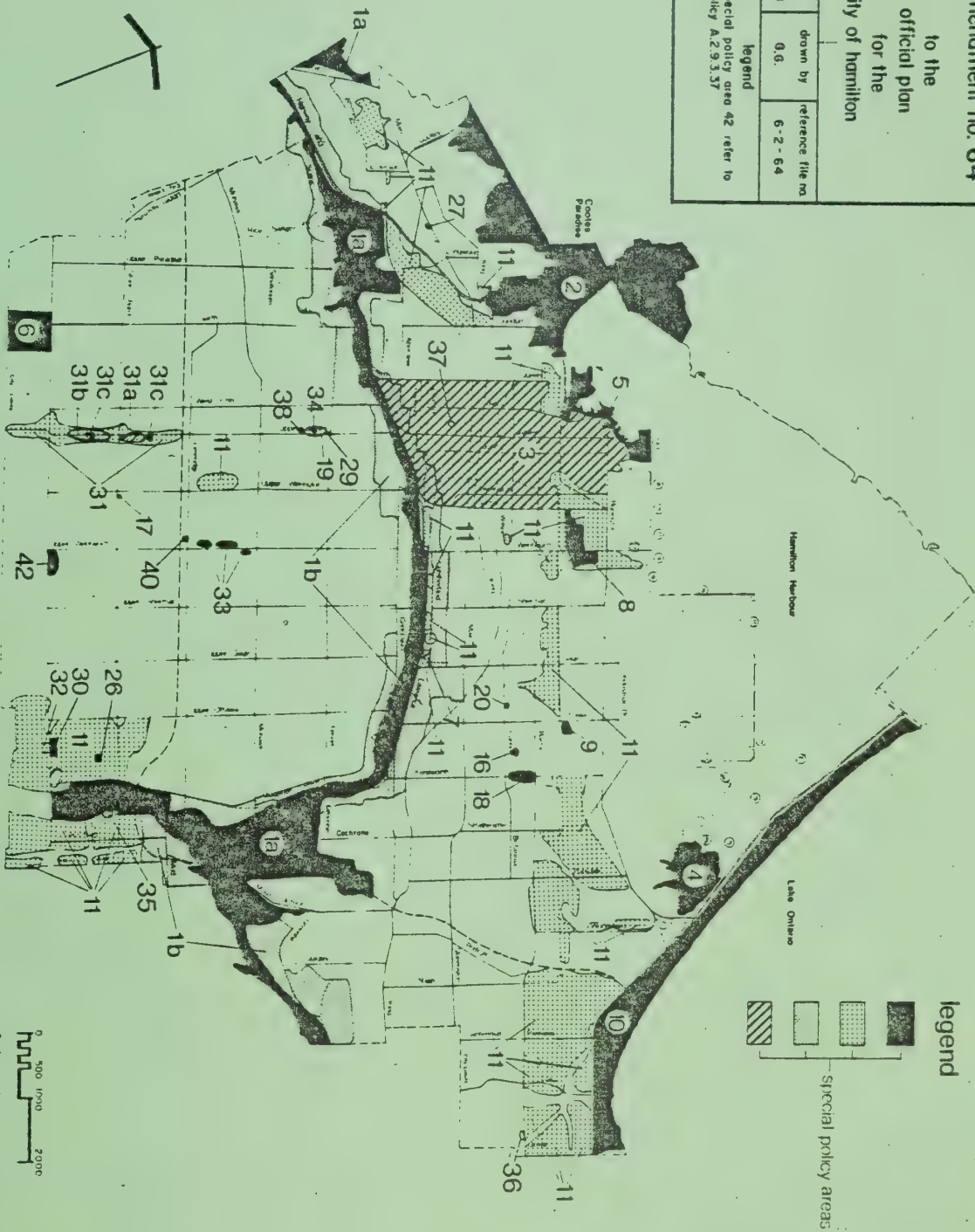


# schedule B amendment no. 64

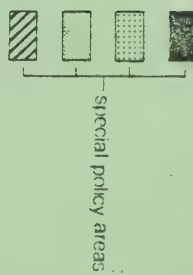
to the  
official plan  
for the  
city of hamilton

date	drawn by	reference file no
SEPT, 1988	O.G.	6-2-64

Special policy area 42 refer to  
policy A.2.9.3.37



legend



## special policy areas

AREA	REFER TO POLICY
1(a)	A.2.9.1
1(b)	A.2.9.1
2	A.2.9.2
3	A.2.9.3
4	A.2.9.3.1
5	A.2.9.3.2
6	A.2.9.3.3
7	A.2.9.3.4
8	A.2.9.3.5
9	A.2.9.3.6
10	A.2.9.3.7
11	A.2.9.3.8
12	A.2.9.3.9
13	A.2.9.3.10
14	A.2.9.3.11
15	A.2.9.3.12
16	A.2.9.3.13
17	A.2.9.3.14
18	A.2.9.3.15
19	A.2.9.3.16
20	A.2.9.3.17
21	A.2.9.3.18
22	A.2.9.3.19
23	A.2.9.3.20
24	A.2.9.3.21
25	A.2.9.3.22
26	A.2.9.3.23
27	A.2.9.3.24
28	A.2.9.3.25
29	A.2.9.3.26
30	A.2.9.3.27
31	A.2.9.3.28
32	A.2.9.3.29
33	A.2.9.3.30
34	A.2.9.3.31
35	A.2.9.3.32
36	A.2.9.3.33
37	A.2.9.3.34
38	A.2.9.3.35
39	A.2.9.3.36
40	A.2.9.3.37

schedule B  
to the official plan  
for  
the city of hamilton





CA4 ON HBC Ad5  
A31  
1988

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1988 October 25  
7:30 o'clock p.m.  
Council Chambers, City Hall

JT:mjw

### A G E N D A

1. Opening Prayer

2. Presentation

Certificates of Appreciation to former members of

H.E.C.F.I.  
Pollution Control Sub-Committee

3. Minutes

1988 October 11

4. Correspondence

5. Reports of the Standing Committees - attached

- (a) Executive Committee
- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (f) Personnel Committee
- (g) Finance Committee







6. Notice of Motion for Next Meeting
7. First Reading of the Bills
8. Second Reading of the Bills - Committee of the Whole
9. Third Reading of the Bills
10. Question Period
11. Adjournment



M I N U T E S



MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, OCTOBER 11, 1988  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,  
Copp, Christopherson, Agostino, Wheeler, Smith, Cowell,  
Gallagher, Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

Reverend D. A. Shepherd, Bethel Gospel Tabernacle, led the Council in prayer.

The following presentation was made:

- (i) World Citizenship Medals by the City of Hamilton Mundialization Committee.

His Worship Mayor Robert M. Morrow read the following proclamations:

- (i) Fire Prevention Week - October 9-15, 1988.
- (ii) McMaster Alumni Week - October 10-16, 1988.
- (iii) Columbus Week - October 10-17, 1988.
- (iv) Hispano-American Day - October 12, 1988.
- (v) World Food Day - October 16, 1988.

The following petition was received:

- (i) Co-Op Housing Federation of Hamilton.

Declaration of Office was made by Mr. James G. Hindson, Director, Information Systems.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Samuel A. Scriven, 995 Stonechurch Road East, Hamilton, Ontario, for a change in zoning, property located at 995 Stonechurch Road East, dated September 28, 1988.
2. Application from Love Produce Distributors Ltd., 70 Hess St. North, Hamilton, Ontario, for a change in zoning, property located at 204 to 214 Hess Street North, dated October 5, 1988.
3. Application from Joseph M. Venditti, 115 Highway #8, Stoney Creek, Ontario, for a change in zoning, property located at 987 Rymal Road East, dated October 5, 1988.



4. Application from Angela Rzazewski and Wesley Rzazewski, 43 Fairington Crescent, Hamilton, Ontario, for a change in zoning, property located at 31 Lake Avenue North, dated October 5, 1988.
5. Application from Geld Developments Limited, 135 James St. South, Suite 830, Hamilton, Ontario, for a change in zoning, property located at 391 Stonechurch Road East, dated October 6, 1988.
6. Application from Cupido Realty & Insurance Ltd., 90 John St. South, Hamilton, Ontario, for a change in zoning, property located at 263, 265, 267, 269, 271, 275 and 279 Bay Street North; 107 Stuart Street; 36 Tiffany Street, dated October 6, 1988.
7. Application from Gail Ruth Redbourne, 54 Elkwood Court, Hamilton, Ontario, for a change in zoning, property located at 242 Jackson Street East, dated October 7, 1988.
8. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 88-205, dated October 7, 1988. NO ACTION TAKEN.
9. Letter from Terry and Joanne Walduda, 34 Huckleberry Drive, Hamilton, Ontario, re amendment to the original approved grading plan at Strawberry Hill Subdivision, dated October 5, 1988.
10. Letter from Dennis and Carolyn Flanagan, 38 Huckleberry Drive, Hamilton, Ontario, re amendment to the original approved grading plan at Strawberry Hill Subdivision, dated October 5, 1988.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Cowell, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Smith in the chair.

\* \* \* \* \*

(A) EXECUTIVE COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Cowell and seconded by Alderman Wheeler.

RESOLVED: that Section 2 be amended by deleting the word "directed" immediately after the word "unless" in the third line, and substituting in lieu thereof the word "approved". -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell. - 11.

NAYS: Aldermen Kiss, Agro, Gallagher, Merling, Murray, Ross. - 6. CARRIED.

\* \* \* \* \*

It was moved by Alderman Ross and seconded by Alderman Gallagher.

RESOLVED: that Section 2 be amended by deleting the words "be directed to" in the first line, and by adding the following, immediately after the word "Council" in the third line:

"on the recommendation of the appropriate Standing Committee." - CARRIED.

\* \* \* \* \*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTEENTH REPORT.

It was moved by Alderman Agro and seconded by Alderman McCulloch.

RESOLVED: that Section 5 be tabled. - CARRIED.

\* \* \* \* \*

Recorded vote on Section 7.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Ross.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Federal funding of the Hamilton-Wentworth Third Sector Youth Employment Programme. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Ross.

RESOLVED: that the following be added as Section 19.

"19. That the Chairman of the Transport and Environment Committee convene a meeting of the Transport and Environment Committee with:

- representatives from the Ministry of Employment and Immigration;
- Local Federal M.P.'s;
- representatives from Third Sector Employment Enterprises;
- the City of Hamilton and local area municipalities;
- the Region of Hamilton-Wentworth;

to pursue having the Ministry of Employment and Immigration continue its annual contribution to Hamilton-Wentworth Third Sector Youth Employment Programme, Reference No. 5344 UL7. - CARRIED.

\* \* \* \* \*

(C) PLANNING AND DEVELOPMENT COMMITTEE - TWENTIETH REPORT.

Recorded vote on Section 13.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Gallagher, Ross. - 13.

NAYS: Alderman Copps. - CARRIED.

\* \* \* \* \*

(D) LEGISLATION COMMITTEE - ELEVENTH REPORT.

It was the decision of City Council to deal with Section 3 of the report prior to Section 2.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Agro.

RESOLVED: that Section 3 be amended by deleting the word "NOT" in the second line. -

YEAS: Mayor Morrow; Aldermen Agro, Gallagher. - 3.

NAYS: Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 14. LOST.

\* \* \* \* \*

Recorded vote on Subsection (a) of Section 3.

YEAS: Aldermen Cooke, McCulloch, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler,  
Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, Gallagher. - 4. CARRIED.

\* \* \* \* \*

Recorded vote on Subsection (b) of Section 3.

YEAS: Aldermen Cooke, McCulloch, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler,  
Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, Gallagher. - 4. CARRIED.

\* \* \* \* \*

Recorded vote on Subsection (c) of Section 3.

YEAS: Aldermen Cooke, McCulloch, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler,  
Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, Gallagher. - 4. CARRIED.

\* \* \* \* \*

Recorded vote on Subsection (a) of Section 2.

YEAS: Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler,  
Gallagher. - 10.

NAYS: Mayor Morrow; Aldermen McCulloch, Smith, Cowell,  
Merling, Murray, Ross. - 7. CARRIED.

\* \* \* \* \*

Recorded vote on Subsection (b) of Section 2.

YEAS: Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler,  
Gallagher. - 10.

NAYS: Mayor Morrow; Aldermen McCulloch, Smith, Cowell,  
Merling, Murray, Ross. - 7. CARRIED.

\* \* \* \* \*



It was moved by Alderman Agostino and seconded by Alderman Wheeler.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit the consideration of a resolution respecting the funding of the Older Worker Programme. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Wheeler.

RESOLVED: That a request for funding, on a permanent basis for the wage subsidy programme, be made to the Honourable Barbara McDougall by the City of Hamilton; and

That this programme be expanded across the Country; and

That all Federal candidates in the Hamilton area be forwarded a copy of this resolution; and

That Mayor Morrow approach the Federal and Provincial Governments and request their continued support in the funding of the Older Worker Programme. - CARRIED.

\* \* \* \* \*

It was moved by Mayor Morrow and seconded by Alderman Ross.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Court facilities in the City of Hamilton. - CARRIED.

\* \* \* \* \*

It was moved by Mayor Morrow and seconded by Alderman Ross.

WHEREAS the Government of Ontario intends to enter into a 20 year lease with the owners of 125 Main Street East for the use of the premises as a Provincial Court (Criminal Division) facility; and

WHEREAS this Council endorses the position of the Hamilton Law Association, and the Hamilton Criminal Lawyers' Association, that these facilities are entirely inappropriate for such use; and

WHEREAS other options for responsible long term planning for Hamilton's Court facilities have not been adequately explored;

THEREFORE BE IT RESOLVED that the Council petition the Government of Ontario, on behalf of the citizens of Hamilton, as follows:

1. That the Province not enter into any further lease commitments for Courts whatever with respect to the premises at 125 Main Street East.



2. That a comprehensive study of alternative options for the long term accommodation of Hamilton's courts (including, without limitation, the Central Post Office Building), be undertaken before entering into any binding commitments whatever. - CARRIED.

\* \* \* \* \*

Alderman Ross, with the consent of Council, withdrew his Notice of Motion re affordable housing. He indicated he would take the matter directly to the Planning and Development Committee.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Cowell.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Cowell.

RESOLVED: that the following Bills be now read a first time:

A-21, A-22,  
B-73, B-74, B-75, B-76,  
D-118, D-119 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Cowell, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Smith in the chair.

A-21, A-22,  
B-73, B-74, B-75, B-76,  
D-118, D-119.

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Cowell.

RESOLVED: that the following Bills be now read a third time:

A-21, A-22,  
B-73, B-74, B-75, B-76,  
D-118, D-119.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Copps,  
Christopherson, Wheeler, Gallagher, Murray, Ross. - 10.

NAYS: 0 - CARRIED.

\* \* \* \* \*

CITY COUNCIL ADJOURNED AT 10:50 O'CLOCK, P.M.

\* \* \* \* \*





## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Executive Committee presents its NINETEENTH Report for 1988 and respectfully recommends:

1. (a) That the gross estimated cost of the new Mountain Public Works Building be increased from \$2 400 000 to \$2 750 000.  
  
(b) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for the increased gross estimated cost of \$2 750 000 with no increase in debenturing authority.  
  
(c) That the estimated \$350 000 increased cost be financed from the Reserve for Property Purchases, Account No. 0280-02 which will be credited with the net proceeds estimated at \$600 000 for the development of the proposed subdivision "Wheten Court" at the Warren Street Public Works Yard, as approved by City Council August 30, 1988.
2. That the amount of \$85 047 expended by the Public Works Department to prepare the former Turner Farm location for the construction of the new Mountain Public Works Yard be charged to the Reserve for Property Purchases, Account No. 0280-02.
3. That the estimated cost of \$90 000 to retain B.A.R. Environmental to update the Industrial Waste Management Plans, be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: This project is included in the 1988 Capital Budget as part of Project 38001 in the gross amount of \$1 000 000.

The Transport and Environment Committee approved of this project at their meeting of October 17, 1988.

4. That an Option to Purchase the property known as 1731 King Street East duly executed by the Board of Education for the City of Hamilton on October 4, 1988 and scheduled for closing on or before November 29, 1988, be approved and completed.



NOTE: This property is required for the Municipal Non-Profit (Hamilton) Housing Corporation.

The purchase price of \$142 875 is to be charged to Account No. 0280-02 in which sufficient funds are available to finalize this transaction. The property is composed of part of Lot 2, Concession 3, formerly in Barton Township, now in the City of Hamilton, having a frontage along the northerly limit of King Street East of 175.72 feet (53.56 metres) by a depth of 127.62 feet (38.9 metres) bearing municipal number 1781 King Street East. The subject parcel is shown as Parts 1 and 2 on Plan 62R-1652.

It is understood and agreed that this Option to Purchase is conditional upon:

- (a) The Purchaser obtaining at its own expense a rezoning or minor variances of the herein described lands to allow for the erection and use of the property for apartment purposes.

If the said rezoning is not obtained on or before November 25, 1988, this Option shall become null and void and no longer binding upon any of the parties hereto.

It is also understood and agreed that, by the acceptance of the Option, the Purchaser will receive the owner's authorization and consent to make all necessary applications for rezoning or minor variances in accordance with the first paragraph of this Schedule.

- (b) The Purchaser, at its expense, shall prepare and register a new reference plan, describing the lands to be purchased and the conveyance to the Purchaser will be made in accordance with the new reference plan.
- (c) It is also understood and agreed between the parties, that if the contract arising from the acceptance of this Option is not completed on or before November 29, 1988, it shall, at the option of the Owner, become null and void and the Owner shall be free to sell the property to a third party.

- 5. That the increase in the estimated cost of \$10 000, from an original estimate of \$90 000 to the revised estimate of \$100 000 for the construction of a road, curb and sidewalk on Gosford Drive be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: This item was approved by the Transport and Environment Committee on October 19, 1988.

6. That leave be granted to introduce the following Bill:

(a) Bill A-23: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
EXECUTIVE COMMITTEE

John Thompson  
Acting Secretary  
1988 October 20  
/bc









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FIFTEENTH Report for 1988 and respectfully recommends:

1.     (a) That the estimated cost for the construction of the New Mountain Public Works Yard on Rymal Road be increased by \$350 000 from \$2 400 000 to \$2 750 000.
- (b) That the City Treasurer be requested to recommend to the Executive Committee the means of financing this increase.
2.     (a) That a purchase order be issued to Frid Construction Company Limited, Hamilton in the amount of \$2 255 000 for the construction of District Office and Utility Building, Rymal Road, in accordance with specifications issued by the Manager, Architectural Division, Property and Vendor's tender.
- (b) That a contract be entered into satisfactory to the City Solicitor.
- (c) That approval be given to amend the Consultant Architect's contract, B. Berguland, to increase the fees and expenses from \$113 000 to \$120 000.

NOTE: Lowest of (5) tenders received. Funds provided in Construction of New Mountain Public Works Yard, Rymal Road

- Contractual Services Account No. 0408-V72895 (\$2 255 000) and
- Consultant and Professional Fees Account No. 0408-V72893 (\$7 000)

3.     That a purchase order be issued to Gordon Bannerman Limited, Rexdale, in the amount of \$13 932 for the supply and delivery of One (1) Top Dressing Machine, for the Parks Division of the Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in General Park Maintenance-Equipment Purchases Account No. 0364-0575.

4. That a purchase order be issued to Russel Brothers, Owen Sound, in the amount of \$59 875.20 for the supply and delivery of One (1) Soil Shredder for the Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of six (6) tenders received. Funds provided in Operating Equipment Account No. 0359-5075 (\$25 000). Application made September 6, 1988 to the O.M.B. for the balance to be approved in Construction, Salt Domes Account No. 0408-V72881.

5. That an Option to Purchase a portion of 118 Guildwood Drive executed by Ramesh Panchal and Mina Panchal on October 2, 1988 and scheduled to close on January 19, 1989, be approved and completed.

NOTE: The property to be purchased is composed of the westerly half of Block D, Plan M-210 having a frontage along the northerly limits of Guildwood Drive of 3.048 metres (10 feet) by a depth of 45.72 metres (150 feet) comprising an area of 139.35 square metres (1,500 square feet) more particularly known as Parts 3 and 4 on Plan 62R-7193 along with Schedules "A" and "B" which form a part of Option to Purchase for the purchase price of \$16 300, which is to be charged to Account No. 0408-X95056.

6. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop-up and close the "north-south alley west of East 16th Street between Inverness Avenue and Thayer Avenue, Inch Park Neighbourhood".
- (b) That the Commissioner of Engineering be authorized and directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed.
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court.
- (d) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owner(s), and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.

- (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of The Regional Municipality of Hamilton-Wentworth Act.
- (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners.

Provided the Judge's Order to close the highway is granted:

- i. That the City Solicitor be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s).
  - ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.
- 7.
- (a) That the City Solicitor be authorized and directed to prepare a By-law for the stopping-up, closing and retaining of a portion of Beach Road in the area of the CN/CP Industrial Lead crossing shown as Parts 1, 2 and 3 on Plan 62R-9714.
  - (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of City Council's intention to pass the By-law.
  - (c) That the City Solicitor be authorized and directed to prepare the necessary easement agreements required for Hamilton Hydro, Ontario Hydro, Union Gas and the Region for their underground/overhead utilities on the Beach Road road allowance.
  - (d) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval of the proposed closing pursuant to Section 48 of the Regional Act.
- 8.
- (a) That the submitted schedules for the estimated cost of services in "Oakdale Estates - Phase 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
  - (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and



- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and
- (d) That the City's Share of the cost of services for the development (\$34 398.85) be approved, and that the Executive Committee recommend the source of funding for this project; and
- (e) That the City Solicitor be authorized and directed to prepare the appropriate By-law(s) to incorporate Block "81" on the plan known as "Oakdale Estates - Phase 1", into the Brigade Drive road allowance.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$34 398.85 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 9.
- (a) That the submitted schedules for the estimated cost of services in "Rita Avenue Survey", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;
  - (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered;
  - (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and
  - (d) That the City's Share of the cost of services for the development (\$35 194) be approved, and that the Executive Committee recommend the source of funding for this project; and
  - (e) That the City Solicitor be authorized and directed to prepare the appropriate By-law(s) to incorporate Block "BX", Plan M-145, and Block "157" on the plan known as Templemead No. 1 Survey - Phase 2, into the Rita Avenue road allowance, and Part 11, Plan 62R-9377 into the Templemead Drive road allowance.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$35 194 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

10. (a) That the submitted schedules for the estimated cost of services in "DeSantis Gardens", Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing.

NOTE: The Subdivider will be paying for 100 percent of the cost of services to be installed, at an estimated cost of \$128 577.

11. (a) That the submitted schedules for the estimated cost services adjacent to "1489 Upper James Street", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Modified Subdivision Agreement with the owner, 491719 Ontario Limited.
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement between the City of Hamilton and the Owner.
- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Modified Subdivision Agreement has been registered.
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Modified Subdivision Agreement, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing.
- (e) That the City's Share of the cost of services for the development (\$148 893.13) be approved, and that the Executive Committee recommend the source of funding for the project.
- (f) That the City Solicitor be authorized and directed to prepare the appropriate By-law(s) to establish Part 27, on Reference Plan No. 62R-9678 and Part 1, on Reference Plan No. 62R-7002 as a City road allowance. The said By-law(s) for these lands is (are) to be registered following the registration of the modified subdivision agreement for "1489 Upper James Street", Hamilton.





15. (a) That a parking prohibition be implemented on the west side of Walnut Street South between Forest Avenue at a point 53 feet northerly therefrom; and  
(b) That City Traffic By-law 66-100 be amended accordingly.
16. That permission be granted to allow an overdraft of \$4 500 in the Uniforms, Clothing and Accessories account for the By-law Enforcement Section of the Traffic Department current budget.
17. (a) That a parking prohibition be implemented on the north side of Sanders Boulevard commencing at a point 70 feet west of the west leg of Binkley Crescent and extending to a point 30 feet westerly therefrom; and  
(b) That City Traffic By-law 66-100 be amended accordingly.
18. (a) That a permit parking space be designated on the north side of Inverness Avenue commencing at a point 60 feet east of East 19th Street and extending to a point 24 feet easterly therefrom; and  
(b) That the Director of Traffic Services be authorized to issue one parking permit to the resident at no. 115 East 19th Street; and  
(c) That City Traffic By-law 66-100 be amended accordingly.
19. (a) That Garside Avenue North be operated one-way northerly in the block between Cannon Street East and Britannia Avenue; and  
(b) That the existing easterly one-way operation of Cline Avenue, west of King Street West, be extended to a point 180 feet west of King Street West; and  
(c) That City Traffic By-law 66-100 be amended accordingly.
20. (a) That eastbound traffic on Oak Knoll Drive be required to yield to northbound and southbound traffic on Dromore Crescent; and  
(b) That northbound traffic on Lowcrest Avenue be required to stop for eastbound and westbound traffic on Ironwood Crescent; and

- (c) That northbound traffic on Tudor Street be required to stop for eastbound and westbound traffic on Taymal Street; and
  - (d) That eastbound traffic on Parkwood Crescent be required to stop for northbound and southbound traffic on Grandoaks Drive; and
  - (e) That eastbound traffic on Franklin Avenue be required to stop for northbound and southbound traffic on Paradise Road North; and
  - (f) That Southbound traffic on Twin Crescent be required to stop for eastbound traffic on Twin Court and westbound traffic on Twin Crescent; and
  - (g) That a stop sign be erected to control westbound traffic on Everest Street at Templemead Drive; and
  - (h) That a stop sign be erected to control eastbound traffic on Adler Avenue at Templemead Drive; and
  - (i) That three-way stop control be implemented at the intersection of Mahoney Avenue and Guelph Street; and
  - (j) That three-way stop control be implemented at the intersection of Adeline Avenue and Goggin Avenue; and
  - (k) That City Traffic By-law 66-100 be amended accordingly.
- 21.
- (a) That the existing "One Hour Parking Time, 24 hours a day, seven days a week" regulation on east 33rd Street between Concession Street and Crockett Street be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation; and
  - (b) That a "One Hour Parking Time Limit, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Cambria Court between Delmar Drive and a point 130 feet south; and
  - (c) That parking be prohibited on the west side of Cambria Court between Delmar Drive and a point 130 feet south; and
  - (d) That in accordance with the general Traffic By-law provision, parking be prohibited in the turn-around area at the southerly end of Cambria Court; and
  - (e) That parking be prohibited on the south side of Olmstead Street between Paradise Road South and the easterly end; and
  - (f) That City Traffic By-law 66-100 be amended accordingly.

22. (a) That the Speed Limit on the curved hill section on Mount Albion Road be reduced to 40 km/h; and
- (b) That City Traffic By-law 66-100 be amended accordingly.
23. That a School Traffic Officer be assigned to the intersection of Aberdeen Avenue and Dundurn Street as quickly as possible.
24. (a) That a stoplight be installed at the intersection of Burlington Street and Mary Street; and
- (b) That the Treasurer be requested to recommend to the Executive Committee the source and method of financing this project in the amount of approximately \$50 000.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE FINANCING OF THE TRAFFIC SIGNAL AT BURLINGTON AND MARY STREETS AT AN ESTIMATED COST OF \$50 000 BE REFERRED TO THE FINANCE COMMITTEE WITH A REQUEST THAT CONSIDERATION BE GIVEN TO INCLUDING THE NECESSARY FUNDS IN THE 1989 CURRENT BUDGET ESTIMATES OF THE TRAFFIC DEPARTMENT FOR THE CITY.

25. That leave be granted to introduce the following Bills:
- (a) B-77 Amendment to Streets By-law No. 9329 - Trees and Shrubs
- (b) B-78 By-law to close and sell the road allowance between Lots 54 & 55, Concession 3, Ancaster, designated as Part 1, on Plan 62R-9757.
- (c) B-79 By-law to Amend By-law 66-100 to Regulate Traffic.
- (d) B-80 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1988 October 17  
1988 October 19









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its EIGHTEENTH Report for 1988 and respectfully recommends:

1. (a) That approval be given for the allocation of funds, in accordance with the policy as approved by Council on 1986 May 13 and as amended on 1986 October 26, for the purchase and installation of traditional metal playlot equipment for the following projects:

i.	St. Agnes Separate School (Riverdale East Neighbourhood)	\$5 000
ii.	St. Joan of Arc Separate School (Riverdale West Neighbourhood)	\$5 000
iii.	Strawberry Hills Area (Riverdale East Neighbourhood)	\$5 000
iv.	St. Christopher Separate School (Lower King's Forest Neighbourhood)	\$5 000
v.	Eastwood Park (North End East Neighbourhood)	<u>\$5 000</u>
TOTAL		\$25 000

NOTE: The anticipated project total for each of the above projects is \$5 000

- (b) That the Executive Committee be requested to recommend the method of financing for these projects.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE COST FOR THE PURCHASE AND INSTALLATION OF TRADITIONAL PLAYGROUND EQUIPMENT IN THE GROSS AMOUNT OF \$25 000 BE FINANCED FROM THE RESERVE FOR ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT, ACCOUNT NO. 0280-11.

2. That the 1988-89 New Year's Eve Celebrations, traditionally held at City Hall, be relocated as a pilot project event, to Gore Park and that the events be organized in conjunction with the Downtown B.I.A.
3. (a) That the City enter into an Agreement, in a form satisfactory to the City Solicitor, to retain B.A.R. Environmental to update the Industrial Waste Management Plans prepared by B.A.R. Environmental (formerly Booth Aquatic Research Inc.) dated 1986 June 1987 June as per the CANVIRO proposal dated 1988 October 07 at an estimated cost of \$90,000.

- (b) That the Mayor and City Clerk be authorized and directed to execute the Agreement.
  - (c) That the Executive Committee recommend the method and source of financing for this project.
4. That the request by the Age and Action Organization for a meeting room, be referred to the 1989 Parks and Recreation Budget.

NOTE: THE ABOVE MOTION RESULTED IN A TIE VOTE AT THE COMMITTEE MEETING AND IN ACCORDANCE WITH CITY POLICY IT IS BEING FORWARDED TO CITY COUNCIL.

5. That the Board of Education for the City of Hamilton be granted permission for their portable building to remain on the former Inverness School Site, now City owned, until no later than October 31, 1988 at which time it will be removed and retained by the Board. The Board of Education has agreed to indemnify and save the City harmless from all actions and claims resulting from the presence of the portable building upon the City's property.
6. That the following Offers to Purchase the lands of The Corporation of the City of Hamilton at the rear of 290, 294, 298 and 300 Lake Avenue North, duly executed by the respective owners, be approved and completed.

	<u>Property to be Purchased</u>	<u>Purchasers</u>	<u>Purchase Price</u>	<u>Deposit</u>	<u>Closing Date</u>
-	Pt. 1, Plan 62R-9612 (at the rear of 290 Lake N., 429 ac)	Christopher Burgess Alma Burgess 290 Lake Ave. N.	\$21 500	\$2 000	Dec.5/88
-	Pt. 2, Plan 62R-9612 (at the rear of 294/ 298 Lake N., 449 ac)	Borge Willgren Karen Willgren	\$24 960	\$2 000	Dec.7/88
-	Pt. 3, Plan 62R-9612 (at the rear of 300 Lake Ave. N., 267 ac)	Raymond J. Dion	\$13 350	\$1 000	Dec.6/88

**NOTE:** These Offers to Purchase are conditional on the following terms:-

- (a) It is understood and agreed by the Purchaser that the Purchaser covenants and agrees to and with the Vendor:
  - i. That within six months of the closing date the Purchaser install at its own costs a permanent six (6) foot chain link fence along the east lot line in order to separate the proposed industrial use from the open space lands.
  - ii. That storm drains for any proposed parking area outlet to existing storm sewers not the major ravine.
  - iii. That any rezoning or site plan for development incorporate a minimum 7.6 metres (25 feet) building setback from the
- (b) In the event that the Purchaser does not comply with covenants a.(i), a.(ii) or a.(iii) by the date(s) set out therein, the Purchaser covenants and agrees that the Purchaser shall sell the lands to the Vendor free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the Vendor for the sale price herein, (without any interest) less (a) the deposit; (b) the commission paid (if any) by the Vendor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
- (c) The said Vendor as registered owner and the said Purchaser hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said Purchaser.
- (d) The Purchaser agrees that the restrictions, covenants and agreements in paragraph a(i), (a) ii, and (a) iii shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- (e) The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraphs (a) i, and (a) ii, (a) iii and its restrictions, covenants and agreements.

The purchase price of the subject parcels is to be credited to Account No. 0280-11. The certified deposit cheques are being held by the City Treasurer pending approval of these transactions.



7. That \$3 000 be transferred to Account No. 0359-5061 from Cemetery Account No. 0359-14-62 (Security), for the purpose of hosting the Ontario Association of Cemeteries 75th Convention and Trade Show, October 23 to October 26, 1988.
8. (a) That the Ministry of Culture and Communications be requested to confirm in writing to the City of Hamilton:
  - i. That it is appropriate to set aside a site of approximately 25 square meters for this Indian burial ground
  - ii. That any remains located beyond the designated cemetery may be exhumed and re-interred in the Cemetery, and
  - iii. That the Six Nations Indian Reserve are in complete agreement with the following
- (b) That the City of Hamilton finalize the originally proposed land exchange with DiCenzo Construction Company Limited on a foot-for-foot basis.
- (c) That the City of Hamilton process the subdivision and development plans filed by DiCenzo as quickly as possible.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1988 October 18





REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-FIRST** Report for 1988 and respectfully recommends:

1. That the Building Commissioner **BE AUTHORIZED** to issue demolition permits for the demolition of the following properties:
  - (a) 47 Caroline Avenue North
  - (b) 135 Strachan Street East
  - (c) 50 Simcoe Street East
  - (d) 177 Mud Street
  
2. That the Offer to Purchase the lands of the Corporation of the City of Hamilton, Lot 38, Plan M-227, Hamilton Industrial Park #1, located on Nebo Road, duly executed on 1987 September 23, by the Purchasers, William Pickard, 441138 Ontario Limited and William Castle and approved by City Council on 1987 October 13, 19th Report of the Planning and Development Committee, Item #16 and as amended to the names of William Pickard, 441138 Ontario Limited, Aiden Tuite and Luigi Centurami and approved by City Council on 1988 May 31, 30th Report of the Planning and Development Committee, Item #2, **BE FURTHER AMENDED** as follows:
  - (a) That the commencement of construction date be extended from 1988 September 23 to 1988 December 23, and
  - (b) That the completion of construction date be extended from 1989 September 23 to 1989 December 23, and
  - (c) That time is to remain of the essence of the agreement and all other items and conditions of the agreement are to remain the same.

3. (a) That the Director of Community Development **BE AUTHORIZED** to process the following grant/loan(s) in the amounts not to exceed \$7 500; and
- (b) That the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme:
- (i) Edward Szypula  
1650 King Street East
- (ii) Mrs. A. Dreher  
3 Fielding Crescent
4. That the Director of Community Development **BE AUTHORIZED** to reapply to the Ministry of Municipal Affairs, Community Renewal Branch, for matching funds under the Programme for Renewal, Improvement, Development and Economic Revitalization (PRIDE) Programme for a maximum of four hundred thousand dollars (\$400 000) to equal a total project cost of eight hundred thousand dollars (\$800 000) for the Crown Point West/Stipeley PRIDE Project, **Phase II**.

NOTE: On 1987 January 27, City Council gave authorization to the Director of Community Development to make application to the Ministry of Municipal Affairs, Community Renewal Branch, for financial assistance for **Phase I** of this Programme. Subsequently, on 1987 July 30, the Province awarded the City of Hamilton four hundred thousand dollars (\$400 000) towards Phase I of this project (50% Provincial, 50% Municipal, equalling a total of eight hundred thousand dollars (\$800 000) available for improvements.

Since this allocation was much less than anticipated in order to carry out improvements on the residential, industrial and commercial sections of the Community Improvement Project Area, City Council again authorized the Director of Community Development to make application for **Phase II** of the Project at an additional one million dollars (\$1 000 000) on 1987 September 29. This second phase will be stressing improvements to commercial and industrial sectors of the neighbourhoods, whereas, the Phase I Project focused on residential needs. A refusal letter was subsequently received by the City Clerk's Department on 1988 August 05.



For the information of members of City Council, the Planning and Development Committee has requested a report from the Director of Community Development on the procedure used by the Ministry in approving allocations of funds under the PRIDE Programme in order to best determine at what point the municipality could provide input.

For the information of the members of Hamilton City Council, funds for the City's portion of this project have been allocated in the 1988-1992 Capital Budget.

5. That, the Department of Community Development **BE AUTHORIZED** to make application to the Ministry of Municipal Affairs, Community renewal Branch, for matching funds under the PRIDE Housing Intensification Programme for a maximum of one million dollars (\$1 000 000), for a total project cost of two million dollars (\$2 000 000) for the Central Beasley Neighbourhood.

**NOTE:** The Planning and Development Committee, at its meeting held Wednesday, 1988 October 12 **TABLED**, until January, 1989 the third portion of this recommendation which would request inclusion of this project in the 1989-1993 Capital Budget.

The Committee does not wish to commit funds for this project until the City's Housing Intensification Study has been completed and presented to the Planning and Development Committee.

However, the Committee agreed that an application should be made to the Ministry now for inclusion in the selection process.

6. That a purchase order be issued to Bay King Motors Ltd., Hamilton, in the amount of \$20 243.28 for the supply and delivery of two (2) 1989 Sub-Compact Vehicles for the Building Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

**NOTE:** Lowest of six (6) tenders received. Funds provided in Automotive Equipment Account #0344-1072.

As delivery is six to eight weeks, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

7. That the Corporation of the City of Hamilton **ACCEPT** the sum of \$39 100 as cash payment in lieu of 5% dedication in connection with "Red Hill Manor No. 2", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

**NOTE:** These lands are located east of Mount Albion Road and North of Greenhill Avenue in the Red Hill Neighbourhood, Hamilton.

8. (a) That **APPROVAL** be given to Subdivision Application 88-12, Effort Trust c/o A. Weisz, owner, to establish a draft plan of subdivision east of Kenilworth Avenue South and north of King Street, subject to the following conditions:
- (i) That this approval apply to the plan proposed by MacKay, MacKay and Peters Limited, dated 1988 May 16, revised to show 16 lots, Block "17", as a 0.3 m reserve, Block "18" as a widening, and a cul-de-sac.
  - (ii) That the street be dedicated as a public highway on the final plan.
  - (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (viii) That Block "18" be conveyed to the City of Hamilton, for roadway purposes.
  - (ix) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.

- (x) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (xi) That Block "17" be conveyed to the Regional Municipality of Hamilton-Wentworth as a 0.3 m reserve.
- (b) That the Subdivision Agreement **BE ENTERED INTO** by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-12), Effort Trust, c/o A. Weisz, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

9. That **APPROVAL** be given to Zoning Application 88-61, Janet and Jack Tarbutt, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the west side of Upper Ottawa Street, south of Turnbridge Crescent, municipally known as No. 1446 Upper Ottawa Street, as shown on the attached map marked as **APPENDIX "A"**, on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-49D for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (d) That the Templemead Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to a "Single and Double" residential land use designation.

**NOTE:** The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the west side of Upper Ottawa Street, south of Turnbridge Crescent, municipally known as No. 1446 Upper Ottawa Street.

The effect of the by-law is to permit development of the subject lands for single-family dwellings.

10. That APPROVAL be given to Zoning Application 88-63, Westmount Homes, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the west side of Upper Wentworth Street in the area north of Stone Church Road East, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located on the west side of Upper Wentworth Street in the area north of Stone Church Road East.

The effect of the By-law is to permit development of the subject lands for single-family dwellings.

11. That APPROVAL be given to an Amended Zoning Application 88-21, 373272 Ontario Limited, owner, for a modification to the established "JJ" (Restricted Light and Limited Heavy Industry) District, for property at No. 2289 Barton Street East, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the "JJ" (Restricted Light and Limited Heavy Industry) District regulations as contained in Section 16A of Zoning By-Law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That in addition to the uses permitted in Section 16A (1) of By-law No. 6593, the following uses shall be permitted within the existing building with a maximum retail sales area of 50% of the total gross floor area:



<u>Use</u>	<u>S.I.C.</u> <u>Identification</u>
1. Second-hand Merchandise Stores	6591
2. Tire, Battery, Parts and Accessories Stores	6342
3. Muffler Replacement Shops	6353
4. Other Motor Vehicle Repair Shops	6359
5. Automobile and Truck Rental and Leasing Services	9921
6. Janitorial Services	9953
7. Computer Services	7721
8. Household Furniture Stores (with appliances and furnishings)	6211
9. Household Furniture Stores (without appliances and furnishings)	6212
10. Appliance, Television, Radio and Stereo Store	6221
11. Floor Covering Stores	6231
12. Drapery Stores	6232
13. Industrial Machinery and Equipment Rental and Leasing	9919
14. Office and Store Machinery, Equipment and Supplies, Wholesale	5791

- (ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-449b, and that the subject lands on Zoning District Map E-103 be notated S-449b;
- (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-103 for presentation to City Council;
- (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The purpose of this by-law is to provide for modifications to the "JJ" (Restricted Light and Limited Heavy Industry) District regulations applicable to property located at No. 2289 Barton Street East.

The effect of the by-law is to permit additional commercial uses with a maximum retail sales area of 50% of the total gross floor area within the existing buildings, as referenced to above.



12. (a) That APPROVAL be given to Official Plan Amendment No. 67 to redesignate from "Residential" to "Commercial", and to extend the boundary of "Special Policy Area 33", the lands located at Nos. 872, 878, 882 and 890 Upper Wentworth Street, and that the City Solicitor be directed to prepare a By-law to adopt the Official Plan amendment for submission to the Regional Municipality of Hamilton-Wentworth.

(b) That APPROVAL be given to amended Zoning Application 88-57, Barriview Developments Limited, prospective owner, requesting a change in zoning from the "AA" (Agricultural) District and the "C" (Urban Protected Residential, etc.) District to the "HH" (Restricted Community Shopping and Commercial) District modified, to permit the development of a Neighbourhood Shopping Plaza, for properties located at Nos. 872, 878, 882 and 890 Upper Wentworth Street, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "D", on the following basis:

- (i) That the lands shown as Block "1" be rezoned from the "AA" (Agricultural) District to the "HH" (Restricted Community Shopping and Commercial) District;
- (ii) That the lands shown as Blocks "2" be rezoned from the "C" (Urban Protected Residential, etc.) District to the "HH" (Restricted Community Shopping and Commercial) District;
- (iii) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2", be modified to include the following variances as special regulations:

- 1. That notwithstanding Section 14A(1) of Zoning By-law No. 6593, the following uses shall be prohibited:

#### Public Uses

- (A) A private club, lodge, fraternity or sorority house or labour union hall.

#### Commercial Uses

- (B) A restaurant or refreshment room.
- (C) An auctioneer's premises.
- (D) A tavern.
- (E) A billiard room, bowling alley, shooting gallery, penny arcade, public hall, music hall, theatre or other place of amusement.

2. That a minimum 9.1 m (30 foot) wide landscaped area be provided along the westerly lot line adjacent to the Fieldway Drive extension.
  3. That no vehicular access shall be permitted along the westerly lot line.
- (iv) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1096, and that the subject lands on Zoning District Map E-18 be notated S-1096;
  - (v) That the City solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to City Council.
  - (vi) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 67.

NOTE: The purpose of the By-law is to provide for a change in zoning for properties at Nos. 872, 878, 882 and 890 Upper Wentworth Street, shown as Blocks "1" and "2", on the following basis:

- (a) Block "1" - Change from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, modified.
- (b) Block "2" - Change from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, modified.

The effect of the By-law is to permit the development of the subject properties for a Neighbourhood Shopping Plaza.

In addition, the By-law provides for variances as special requirements, as referenced to above.

13. (a) That the Gershome Neighbourhood Plan BE AMENDED as shown on Plan 1 attached herewith and marked APPENDIX "E";
- (b) That the Greenford Neighbourhood Plan BE AMENDED as shown on Plan 2 attached herewith and marked APPENDIX "F";
- (c) That the Planning Guidelines for King Street East, attached herewith and marked APPENDIX "G", BE ADOPTED to provide direction for the design of development in this area;

- (d) That LACAC BE REQUESTED to provide further information, assistance and encouragement to the owners of the heritage buildings at 2717, 2826, 2842 and 2846 King Street East, concerning the purpose and benefits of designation under the Ontario Heritage Act;
- (e) That the City of Stoney Creek BE REQUESTED to consider the Planning Guidelines for King Street East in the review of development applications for Stoney Creek lands within the study area.

NOTE: A neighbourhood plan review was undertaken for the section of King Street East between Nash Road and Centennial Parkway, to identify the preferred types and design of new development, especially for commercial uses. Amendments to the neighbourhood plans, planning guidelines and other recommendations have been prepared, based on a review of land use, zoning and heritage resources in the area, as well as submissions from area residents.

The Planning and Development Committee, at its meeting held Wednesday, 1988 October 12th agreed to TABLE those sections of the report referring to "Family Restaurant" in order that staff can have an opportunity to more thoroughly review this issue and report back to the Committee.

- 14. (a) That Zoning Application 87-95, F. J. Barnes, owner, requesting a change in zoning from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District, to permit a retail store and/or office within the existing building for the property located at No. 2783 King Street East, as shown on the attached map marked as APPENDIX "H", BE DENIED for the following reason:
  - (i) The "H" (Community Shopping and Commercial, etc.) District is an inappropriate zoning category since the long term intended land use for the north-west corner of King Street East and Owen Place is for "Low Density Apartments".
- (b) That APPROVAL be given to Official Plan Amendment No. 68 to create a Special Policy Area to permit limited commercial uses and business offices within the existing building and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.

(c) That APPROVAL be given to an amended Zoning Application 87-95 requesting a modification to the "AA" (Agricultural) District provisions to permit a retail store and/or offices within the first floor of the existing building, for the property located at No. 2783 King Street East, on the following basis:

- (i) That the "AA" (Agricultural) District provisions as contained in Section 7A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as a special requirement:
  - 1. That notwithstanding Section 7A(1), the following commercial uses shall be permitted within the first floor of the existing building:
    - (A) retail clothing store
    - (B) business office
  - 2. That notwithstanding Section 7A(1), the following accessory use shall be permitted:
    - (A) One ground sign, wall sign, or projecting sign of an area not more than 0.4 square metres (4.31 sq. ft.) non-illuminated or illuminated by non-flashing, indirect or interior means only, located at least 1.4 metres (4.92 ft.) from the nearest street line in connection with any commercial use permitted in the district.
- (ii) That notwithstanding Section 18A.(1)(a), 4 parking spaces shall be required on site, in the rear yard and shall be set back a minimum distance of 3 m from the rear lot line;
- (iii) That a visual barrier of 2 m in height be required along the rear lot line;
- (iv) That the amended By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1097 and that the subject lands and Zoning District Map E-106 be notated S-1097;
- (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-106 for submission to City Council;
- (vi) That the proposed change in zoning will be in conformity with the Official Plan once Official Plan Amendment No. 68 is approved by the Regional Municipality of Hamilton-Wentworth.



NOTE: The purpose of this By-law is to provide for a modification to the "AA" (Agricultural) District provision for the property located at No. 2783 King Street East.

The effect of the By-law is to permit:

- (a) business offices and/or retail clothing store within the first floor of the existing building.
- (b) One ground sign, wall sign or projecting sign of an area not much more than 0.4 m<sup>2</sup> (4.31 sq. ft.) non illuminated or illuminated by non-flashing, or interior light only.

In addition, 4 parking spaces will be required to be provided on site.

15. That leave be granted to introduce the following bills:

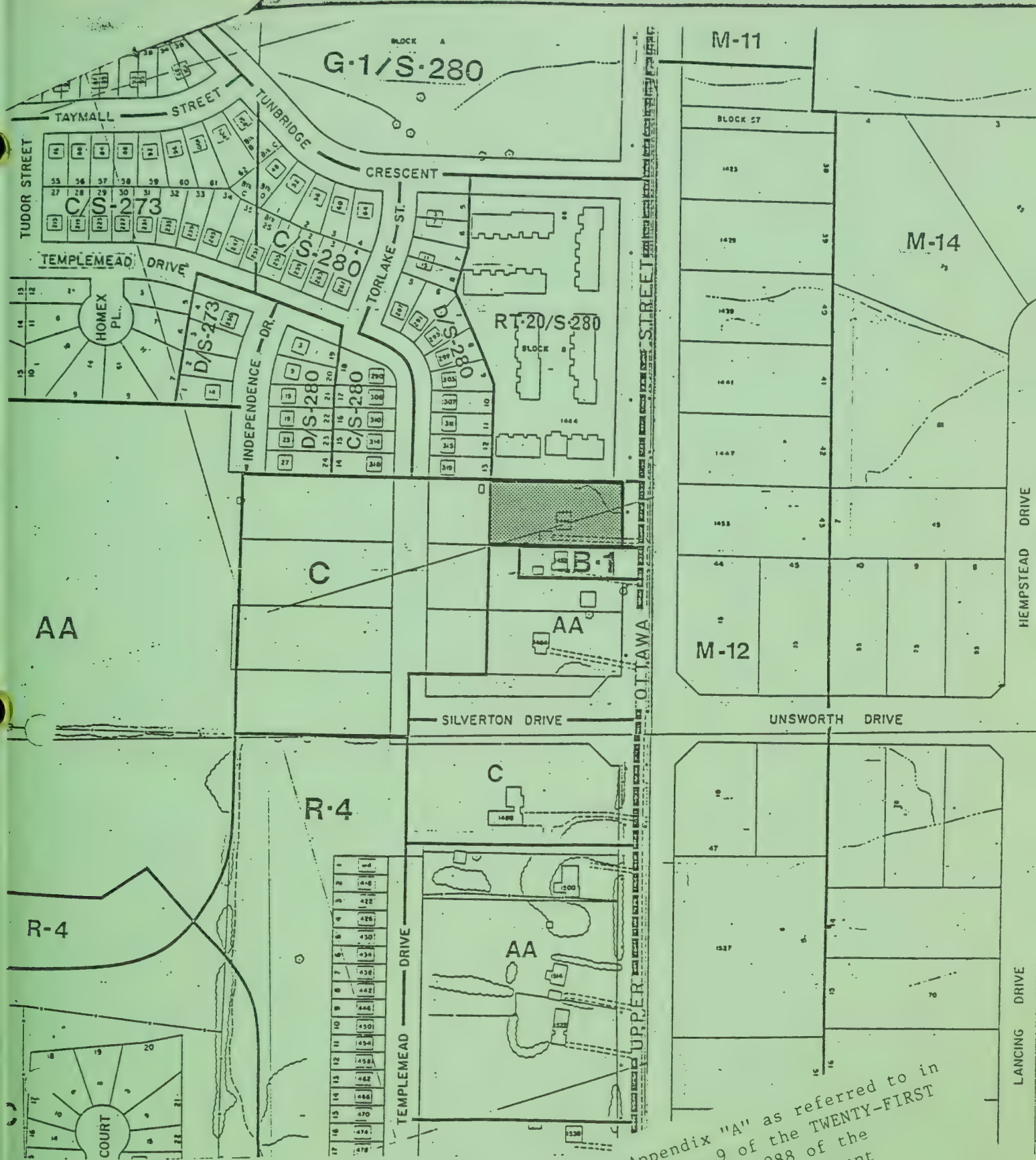
- (a) Bill D-120 A By-law to adopt Official Plan Amendment No. 65 respecting lands located on the north side of Stone Church Road East, between Upper Wentworth Street and Upper Sherman Avenue, within the Rushdale Neighbourhood.
- (b) Bill D-121 A By-law to adopt Official Plan Amendment No. 66 respecting The Central Area Plan.
- (c) Bill D-122 A By-law to amend Zoning By-law No. 88-203 respecting land located on the west side of Sanatorium Road, in the area south of Scenic Drive.
- (d) Bill D-123 A By-law to amend Zoning By-law No. 6593 respecting lands located on the north side of Rymal Road East, between Upper Wentworth Street and the Hydro Right-of-Way.
- (e) Bill D-124 A By-law to repeal Zoning By-law No. 87-179 respecting lands located at Municipal Nos. 169-179 Hunter Street East.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1988 October 12





# Legend

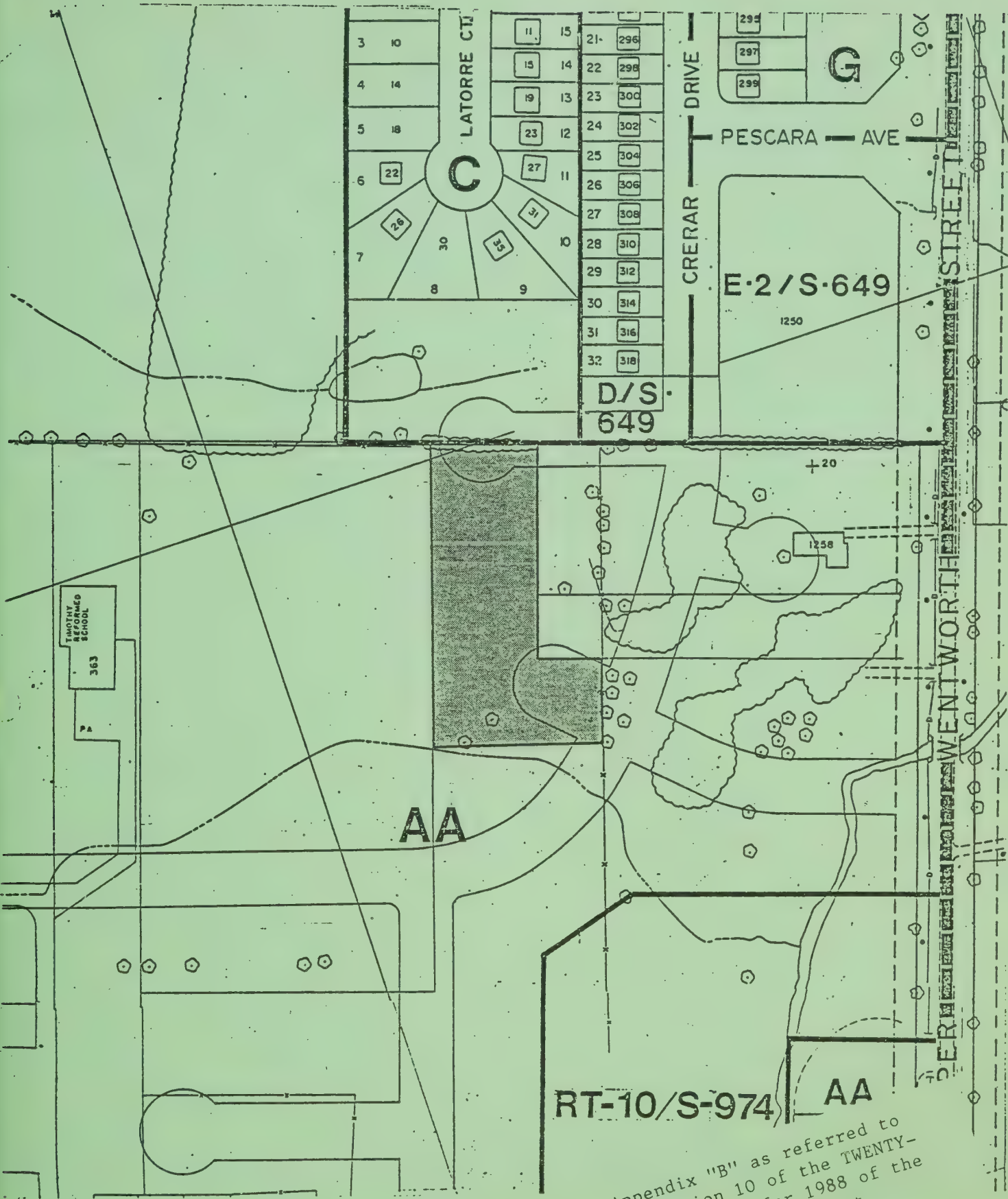


Site of the Application

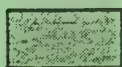
Appendix "A" as referred to in  
Section 9 of the TWENTY-FIRST  
Report for 1988 of the  
Planning & Development  
Committee.







Legend



Site of the Application

RT-10/S-974 AA

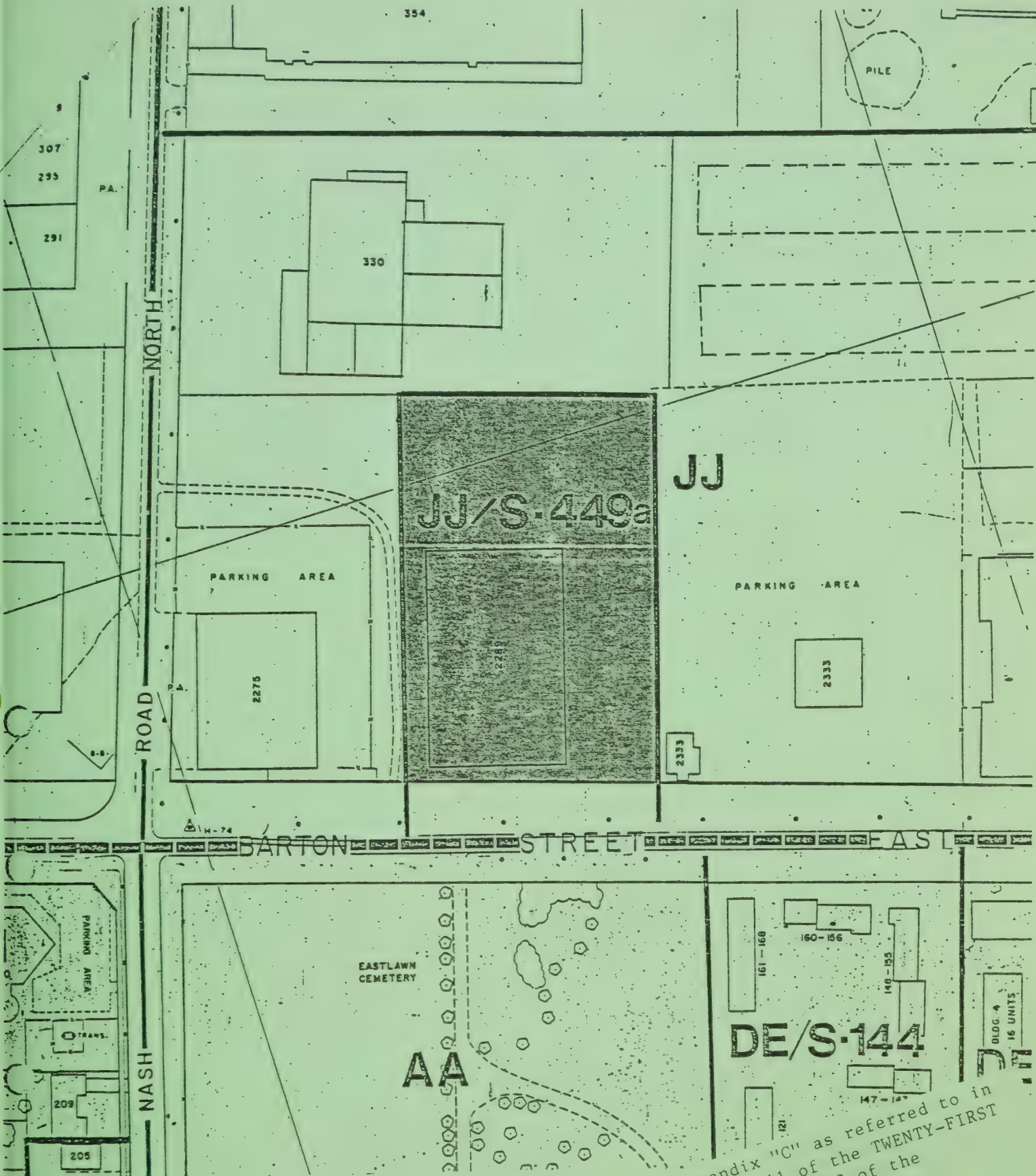
Appendix "B" as referred to  
in Section 10 of the TWENTY-  
FIRST Report for 1988 of the  
Planning & Development  
Committee.



APPENDIX A







# Legend



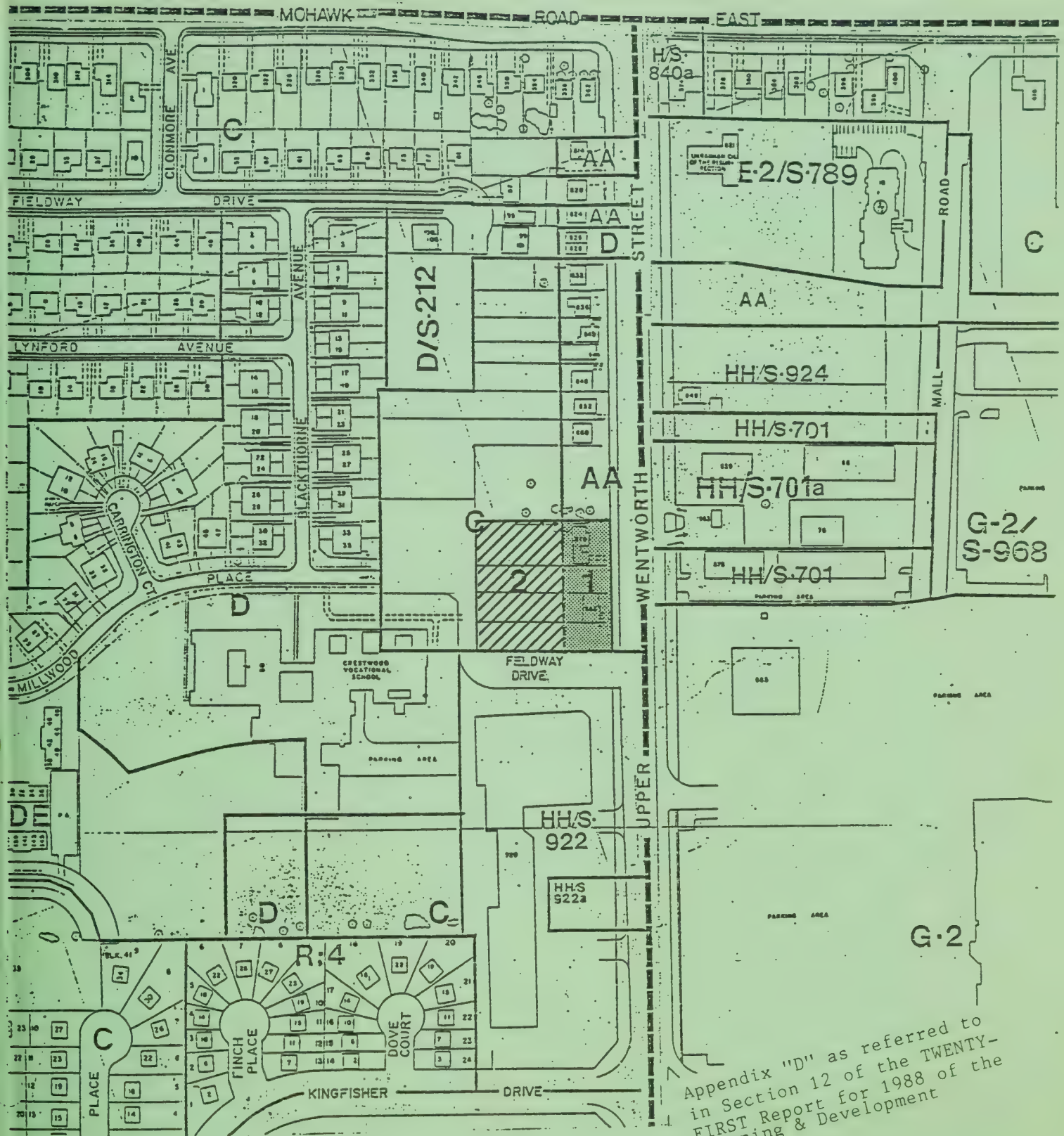
Site of the Application

Appendix "C" as referred to in  
Section 11 of the TWENTY-FIRST  
Report for 1988 of the  
Planning & Development  
Committee.









# LEGEND

CHANGE IN ZONING FROM:

BLOCK 1



"AA" (AGRICULTURAL) DISTRICT TO  
"HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT

BLOCK 2



"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO  
"HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT

Appendix "D" as referred to  
in Section 12 of the TWENTY-  
FIRST Report for 1988 of the  
Planning & Development  
Committee.







# Proposed Amendments to the Gershome Neighbourhood Plan

## \* NON HIGHWAY COMMERCIAL

- including neighbourhood commercial e.g. convenience stores and community commercial e.g. medical offices, but excluding highway oriented uses such as gas bars, fast food restaurants etc. Uses which conserve the existing building stock will be encouraged.

Note: The title of this special designation will be revised to "Neighbourhood Commercial".



## Proposed Amendments:

**Block 1** from "Commercial" to "Commercial/Residential - Conservation"

**Block 2** from "Low Density Apartments" to "Commercial/Residential - Conservation"

**Block 3** from "Non-Highway Commercial" to "Commercial"

"Non-Highway Commercial" designation to also be amended (see note at top of map)

## LAND USE

### RESIDENTIAL

- single & double
- attached housing
- low density apts
- medium density apts
- high density apts
- commercial & apt

- COMMERCIAL
- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

D-17

- Neighbourhood Boundary
- Zoning Boundary
- Staging of Development Boundary

Appendix "E" as referred to in Section 13 of the TWENTY-FIRST Report for 1988 of the Planning and Development Committee.

CITY OF HAMILTON  
PLANNING DEPARTMENT

PART OF  
GERSHOME

APPROVED PLAN



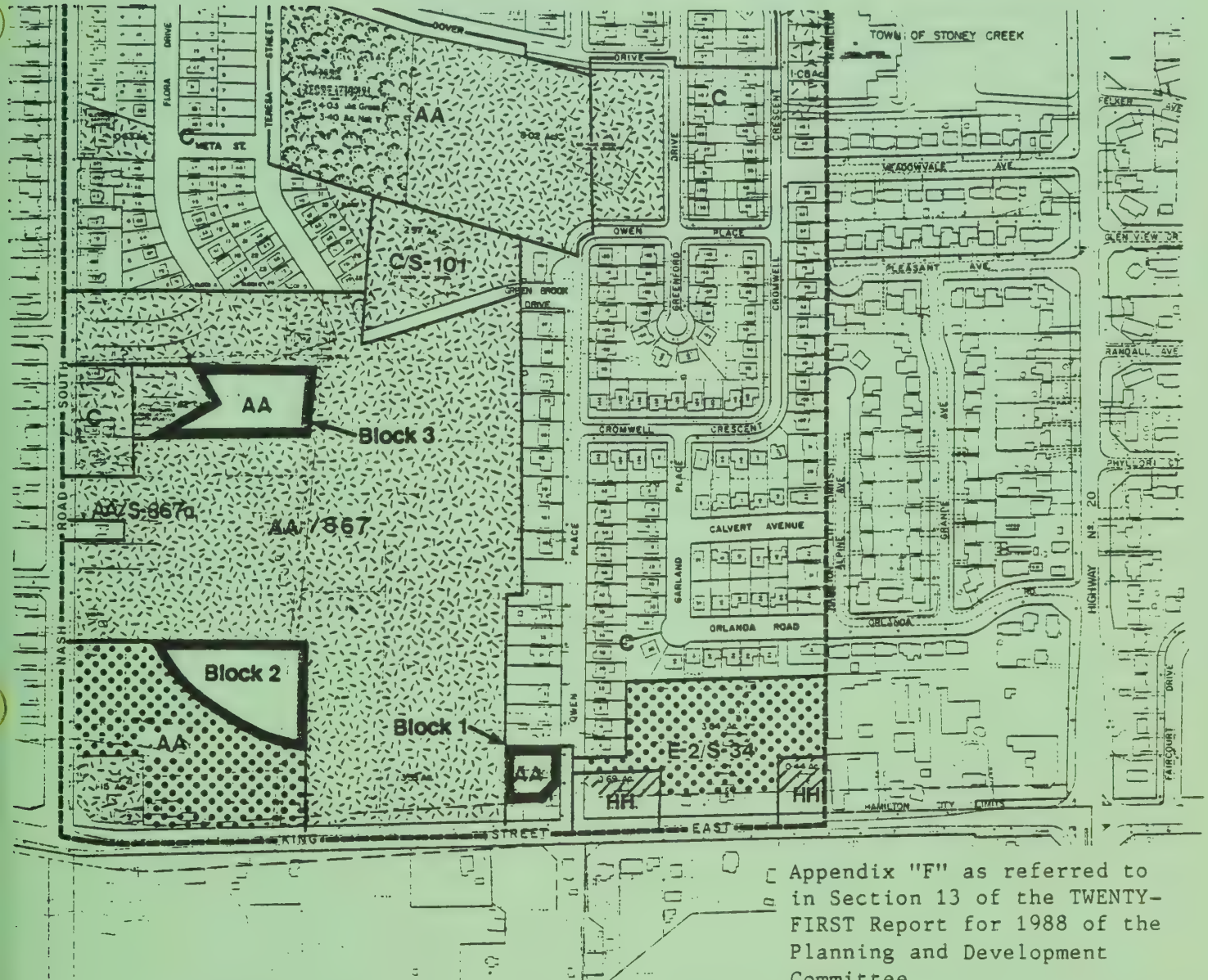
SCALE 1:1000





# Proposed Amendments to the Greenford Neighbourhood Plan

Plan 2



Appendix "F" as referred to in Section 13 of the TWENTY-FIRST Report for 1988 of the Planning and Development Committee.

## Proposed Amendments:

**Block 1** from "Low Density Apartments" to "Commercial/Residential - Conservation"

**Block 2** from "Single and Double Residential" to "Medium Density Apartments"

**Block 3** from "Single and Double Residential" to "Institutional"

## LAND USE

### RESIDENTIAL

- single & double
- attached housing
- low density apts.
- medium density apts.
- high density apts.
- commercial & apts.

- COMMERCIAL**
- INDUSTRIAL**
- CIVIC & INSTITUTIONAL**
- PARK & RECREATIONAL**
- OPEN SPACE**
- UTILITIES**

**MULTICENTRE**  
D-18

- Neighbourhood Boundary
- Zoning Boundary
- Staging of Development Boundary

### Approvals

Planning Bd. JUNE 22/87 Council NOV. 14/87

### Revisions

**CITY OF HAMILTON**  
PLANNING DEPARTMENT

**PART OF  
GREENFORD  
APPROVED PLAN**



0 50 100 150 200  
SCALE IN FEET



PLANNING GUIDELINES - KING STREET EAST

Nash Road to Centennial Parkway

The purpose of these guidelines is to help enhance the existing unique features of this area, namely the turn-of-the-century residential buildings, associated landscaping and the potential for attractive design of new development. The overall impression should be one of green space and buildings with heritage design or heritage-compatible design for both new and existing developments. The exact details of design will be determined by means of the site plan approval process, using these guidelines as a basis. The following requirements will apply:

1. Landscaping for Existing Buildings

Existing trees, shrubs and hedges at the front of such properties and visible from King Street will be retained. These features form an important part of the overall appearance of the heritage buildings which are recommended for conservation.

2. Landscaping for New Developments

Generous landscaping, namely a landscaped strip of at least 3.0 metres (10 feet) in width, is to be provided along the front lot line for new development, except for the access driveways. Dense trees and shrubs are required. Such landscaping will be required for all new development, as well as for properties on the north side of King Street, affected by the ultimate road widening.

3. Front Yard Setbacks

The depths of front yards for any new buildings should be compatible with the front yard depths of adjacent buildings within the same block, in order to provide a continuity of the original streetscape and sufficient room for landscaping.

The setbacks for any new buildings on the north side of King Street will be determined based on the location of the ultimate road widening.



4. Parking for Commercial Uses in Existing Buildings

For commercial and related uses in heritage buildings, or other existing buildings, sufficient parking spaces will be provided. These spaces will be located at the rear of the properties. They will be screened from King Street and from adjacent residential uses. High hedges or closed fences, 3.0 metres (10 feet) in height will be provided between these rear parking areas and adjacent residential uses.

5. Parking for Commercial Uses in New Plazas

For the new neighbourhood commercial plaza proposed at the southwest corner of King Street East and Greenhill Avenue, parking will be permitted in front of plaza buildings if good quality design and landscaping is incorporated. Otherwise, parking in the rear of plaza buildings will be preferred. Such parking areas will include a 3.0 metre (10 foot) landscaped strip along the front lot line to consist largely of trees and shrubs, as noted in Section 2. above.

6. Business Signs.

Signs for commercial and other uses will be designed to enhance the appearance of the heritage buildings and the entire study area.

Non-illuminated signs, or signs illuminated by non-flashing, indirect or interior means only, will be required.

Signs will be of a size, height, and type compatible with the individual building, namely:

- For heritage buildings, signs of a heritage design, and of a size in keeping with the scale of the building, will be required.
- For other residential buildings being converted for office or commercial use, such as 2783 King Street East, signs will not exceed 0.4 m<sup>2</sup> (4.31 sq. ft.) in size.
- For neighbourhood shopping plazas, the sign requirements of the "G" zoning district with regards to signs will apply. Wall signs will not exceed 3.0 metres (10 feet) in height.

7. Building Design

New commercial and other buildings will be designed to blend with the heritage nature of the area, to include attractive architectural features, building height of up to two storeys, and appropriate use of materials and colours compatible with the heritage theme. Buildings of up to two storeys in height, including commercial only or mixed use developments, will be encouraged.

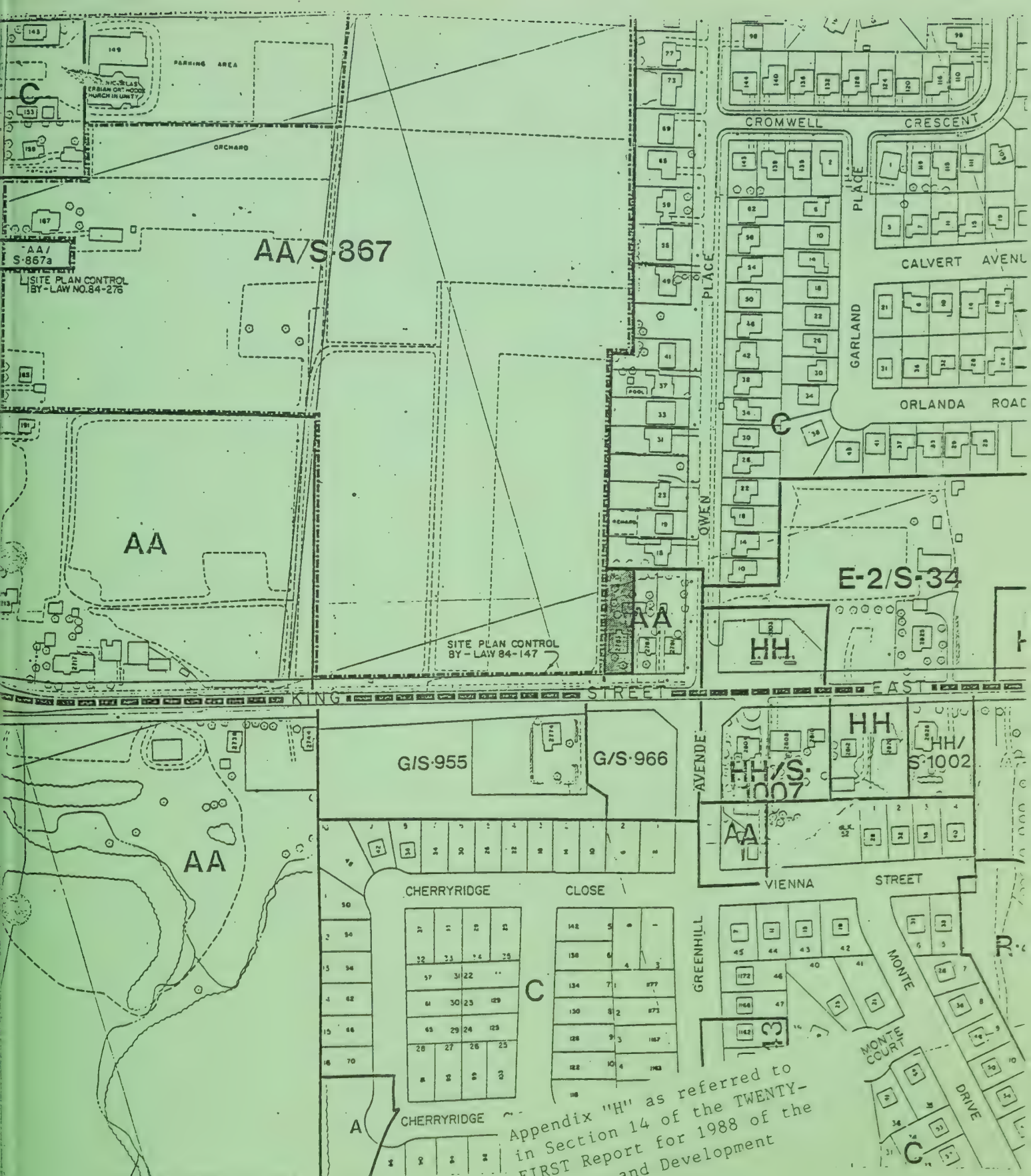
8 Heritage Buildings

"Heritage Buildings" include the buildings at 2717, 2826, 2842 and 2846 King Street, which are considered by LACAC to be worthy of designation for reasons of historical and/or architectural significance. Owners will be encouraged to designate their buildings, to become eligible for funding for improvements and to help maintain the original appearance. Efforts will be made to retain the building, by allowing compatible commercial or institutional uses where residential uses are no longer practical.

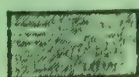
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# LEGEND



SITE OF THE APPLICATION

Appendix "H" as referred to in Section 14 of the TWENTY-FIRST Report for 1988 of the Planning and Development Committee.











REPORT OF THE PERSONNEL COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its TWELFTH Report for 1988 and respectfully recommends:

1. That the Appointments to and Terminations from both Permanent Positions with The Corporation of the City of Hamilton to 1988 October 4, attached hereto as Schedule "A", BE APPROVED.
2. That the Ontario Glazier Institutional Commercial and Industrial Agreement between Architectural Glass and Metal Contractors Association and The International Brotherhood of Painters and Allied Trades and The Ontario Council of the International Brotherhood of Painters and Allied Trades, attached hereto as Schedule "B", BE APPROVED.
3. That the Agreement between The Corporation of the City of Hamilton and Family Services of Hamilton-Wentworth, Incorporated from 1988 September 1 through 1989 August 31, attached hereto as Schedule "C", BE APPROVED.

RESPECTFULLY SUBMITTED

ALDERMAN M. KISS  
CHAIRPERSON  
PERSONNEL COMMITTEE

1988 October 19  
Susan K. Reeder, Secretary  
att.  
/dg



**Schedule "A" as referred to in  
Section 1 of the 12th Report  
for 1988 of the Personnel Committee**

THE CORPORATION OF THE CITY OF HAMILTON TERMINATIONS FROM PERMANENT POSITIONS					
<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Donald Bodnar	Building Inspector	Building	Resigned	11 years, 3 months	Sept. 16, 1988
Mr. Nat Davidson	Sales Manager	Convention Centre (division of H.E.C.F.I.)	Retired	5 years, 3 months	Sept. 30, 1988
Mr. Paul J. Iannuzzi	Lieutenant	Fire	Resigned	14 years	Sept. 15, 1988
Ms. Deborah Iles	Gift Shop Manager	Dundurn Castle (division of Culture & Recreation)	Resigned	8 years, 6 months	Sept. 02, 1988
Ms. Paula J. Kita	Stenographer I	Treasury	Resigned	6 years, 5 months	Aug. 31, 1988
Mr. Lloyd Moore	Truck Driver	Public Works	Retired	14 years, 4 months	Sept. 30, 1988
Mr. Martin Powell	Traffic Operations Engineer	Traffic	Resigned	2 years	Sept. 21, 1988
Ms. Dorothy Richardson	Key Punch Operator I	Information Systems	Resigned	1 year, 8 months	Sept. 30, 1988

Prepared 05 October 1988

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Richard Andoga	Draftsman/Woman II (A-6)	Traffic	replacing Ms. E. McLaren - promoted	\$454.40 to \$544.99	\$454.40 per week (1 of 5)	Sept. 12, 1988
Mr. Paul L. Brown	By-Law Enforcement Constable (B-5)	Traffic	replacing Mr. L. Brown - on I.T.D.	\$435.67 to \$509.81	\$435.67 per week (1 of 5)	Sept. 26, 1988
Mr. Ronald M. Buttrum	Tree Climber (D-9)	Public Works	replacing Mr. P. Lecompte - to former position	\$12.192 to \$12.392	\$12.392 per hour (2 of 2)	Sept. 12, 1988
Mr. Kevin C. Christenson	Waterfront Project Co-ordinator (L)	Community Development	replacing Ms. J. Tollefsen - resigned	\$34,886.28 to \$41,081.04	\$39,450.84 per annum (4 of 5)	Sept. 12, 1988
Mr. Dean R. Crabbe	Traffic Signal Repairman/Woman II (B-6)	Traffic	replacing Mr. G. Falla - terminated	\$442.40 to \$522.63	\$445.06 per week (2 of 5)	Sept. 19, 1988
Mr. William E. Dupont	Building Inspector (A-12)	Building	additional staff approved by City Council Feb. 29/88	\$588.12 to \$689.97	\$588.12 per week (1 of 5)	Sept. 05, 1988
Ms. Joanne D. Makl	Stenographer III (E-3)	Building	replacing Ms. S. Bourque - resigned	\$361.95 to \$391.04	\$375.12 per week (2 of 3)	Sept. 19, 1988
Mr. William E. McGuire	Tree Climber (D-9)	Public Works	replacing Mr. B. Arnold - to former position	\$12.192 to \$12.392	\$12.392 per hour (2 of 2)	Sept. 12, 1988
Mr. John McShane	Foreman/Woman III (Sanitation) (13-C)	Public Works	replacing Mr. P. Smith - promoted	\$27,837.68 to \$31,969.60	\$27,837.68 per annum (1 of 3)	Sept. 26, 1988

Prepared 05 October 1988

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Charles W. Newell	Equipment Mechanic II (D-11)	Central Garage (division of Public Works)	replacing Mr. M. Leroux - promoted	\$12,391 to \$12,591	\$12,391 per hour (1 of 2)	Sept. 06, 1988
Ms. Gail L. Paradis	Stenographer III (E-3)	Building	replacing Ms. I. Kozak - promoted	\$361.95 to \$391.04	\$361.95 per week (1 of 3)	Sept. 05, 1988
Mr. Paul W. Smith	Foreman/Woman II (Sanitation) (12-C)	Public Works	replacing Mr. D. Bilyard - promoted	\$28,976.48 to \$34,604.96	\$34,604.96 per annum (3 of 3)	Sept. 05, 1988
Mr. Joseph G. Spiler	Assistant Supervisor of Accounting (M)	Treasury	replacing Mr. L. Friday - promoted	\$32,604.00 to \$38,364.56	\$32,604.00 per annum (1 of 5)	Sept. 05, 1988
Mr. Eugene A. Stec	Maintenance Foreman (Cemetery) (12-C)	Public Works	new position approved by City Council June 1988	\$28,976.48 to \$34,604.96	\$31,790.72 per annum (2 of 3)	Sept. 26, 1988
Ms. Leslee P. Stewart	Sales Executive (13)	Copps Coliseum (division of H.E.C.F.I.)	replacing Mr. J. Tsao - resigned	\$33,000.24	\$33,000.24 per annum	Sept. 26, 1988
Ms. Sandra L. Tucker	Building Inspector (A-12)	Building	additional staff approved by City Council June 22, 1988	\$588.12 to \$689.97	\$614.83 per week (2 of 5)	Sept. 05, 1988
Mr. Christopher M. Van Berkel	Traffic Serviceman/ Woman II (A-3)	Traffic	replacing Mr. K. Nutley - promoted	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	Sept. 05, 1988
Ms. Sabine Zabel	Receipts Clerk II (PA-4)	Parking Authority	replacing Ms. D. Keith - resigned	\$362.01 to \$391.09	\$362.01 per week (1 of 3)	Sept. 26, 1988

Prepared 05 October 1988





Ontario Glazier Institutional Commercial and Industrial Agreement between  
Architectural Glass and Metal Contractors Association and The International  
Brotherhood of Painters and Allied Trades and The Ontario Council of the  
International Brotherhood of Painters and Allied Trades

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Duration of Agreement - May 1, 1988 to April 30, 1990

Appendix to the Ontario Provincial Agreement of the I.C.I. Sector of the  
Construction Industry for Hamilton and Niagara Peninsula Local 1795

Journeyman:

Date	Reg Hourly Rate	Vac Pay	Pension	Welfare	Total Wage Package
May 1, 1988	\$18.35	\$1.83	\$ .80	\$1.00	\$21.98
May 1, 1989	\$19.27	\$1.92	\$1.00	\$1.00	\$23.19
Jan. 1, 1990	\$19.81	\$1.98	\$1.00	\$1.00	\$23.79

Swing Stage - \$1.00 hourly premium  
Charge Hands - \$1.00 hourly premium  
Lead Hands - \$ .50 hourly premium

Apprentice Rates:

1st 1,000 hours - 50%  
2nd 1,000 hours - 55%  
3rd 1,000 hours - 60%  
4th 1,000 hours - 65%  
5th 1,000 hours - 75%  
6th 1,000 hours - 80%  
7th 1,000 hours - 90%  
8th 1,000 hours - 95%



## EMPLOYEE ASSISTANCE PROGRAM

### AGREEMENT

This agreement made this            day of            , 1988

Between:

THE CORPORATION OF THE CITY OF HAMILTON  
(hereinafter referred to as "the Employer")

and

FAMILY SERVICES OF HAMILTON-WENTWORTH, INCORPORATED  
(hereinafter referred to as "the Agency")

SEPTEMBER 1, 1988 THROUGH AUGUST 31, 1989

## 1. EMPLOYER RESPONSIBILITY

The Employer agrees to:

- a) provide personnel, approved by the General Employee Assistance Committee of the Corporation of the City of Hamilton, for the purpose of providing a Joint Advisory Committee; Terms of Reference for the Joint Advisory Committee are attached to this agreement;
- b) provide adequate opportunity and assistance in the orientation of the Coordinator to the Employer's organization, personnel policies, and other relevant information. Employee Assistance Program Policy and the Implementation Procedures are attached to this agreement;
- c) provide opportunities for the Employee Assistance Coordinator to conduct sufficient employee in-service sessions to ensure that personnel are familiar with and understand the services available, their objective and how to access the services;
- d) provide promotional literature for employees;
- e) remit to Family Services of Hamilton-Wentworth Incorporated during the term of this Agreement, \$4,811.25 per month as long as services are being provided to the Employer. Any adjustment or failure to supply services, will be on pro rated basis, taking into account any fixed costs.

## 2. AGENCY RESPONSIBILITY

The Agency agrees to:

- a) provide those services described under the "Terms of Reference Coordinator" as attached to this agreement;
- b) provide a full time (a minimum of thirty-five hours per week inclusive of rest periods, fifty-two weeks per year) professional Coordinator to perform the services agreed upon by the parties; the precise hours to be agreed upon from time to time, and must be satisfactory to the Employer;
- c) provide office space (including furniture, telephone service and supplies) for the Coordinator and clients at Suite 209. First Place, 350 King Street East, Hamilton, Ontario, or such other location as may be acceptable to the Employer;



- d) provide an answering machine to take messages and requests for service in the absence of the Coordinator, such apparatus to be of sophisticated nature in order to protect the privacy and confidentiality;
- e) provide non confidential data to the Joint Advisory Committee as required for the Committee to be aware of the number of clients, types of service utilized, and problem areas being encountered;
- f) provide a representative for the Joint Advisory Committee;
- g) have the professional Coordinator, who shall be an employee of the Agency, accountable to the Executive Director of the Agency, directly or through his delegate;
- h) provide coverage and an alternative Coordinator should the regular Coordinator not be available for any reason.

### 3. EMPLOYER AND AGENCY RESPONSIBILITY

The Employer and the Agency both agree that:

- a) all records, files and information collected by the Coordinator will be the exclusive property of the Agency;
- b) data will be conveyed to the Joint Advisory Committee in form and content acceptable to the Committee, except that data which may be deemed as strictly confidential by the parties;
- c) confidential client information will be released only to the Manager of Personnel Services and then only upon the written, informed consent of the client; the Agency's policy on client privacy and confidentiality will provide the terms of reference in this regard and also in any evaluation involving clients;
- d) summary evaluation of the Employee Assistance Program and the discussion toward the renewal of this agreement will commence no later than June 1, 1988. Three months notice shall be given by either party of its intention to discontinue or substantially modify the agreement.

4. SUPERVISORY RESPONSIBILITY AND COORDINATOR  
ACCOUNTABILITY


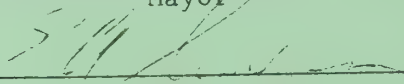
Responsibility for evaluation of the Coordinator's job performance reside solely with the Agency, however, the input of the Joint Advisory Committee will be sought by the Agency and taken into account. The Agency will have line authority of the Coordinator and the Joint Advisory Committee will exercise functional authority.

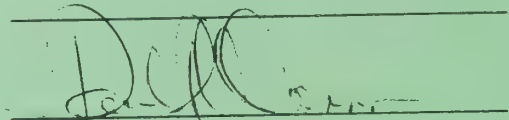
5. DURATION

This agreement shall remain in force and effect from and including the 1st day of September 1988 until the 31st day of August, 1989.

FOR: The Corporation of  
the City of Hamilton

Family Services of  
Hamilton-Wentworth, Inc.

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Cikt Clerk

  
\_\_\_\_\_

CORPORATION OF THE CITY OF HAMILTON

EMPLOYEE ASSISTANCE PROGRAM POLICY

The Corporation of the City of Hamilton and its local boards recognize that workers can have life-style problems, which can affect their performance in the work place.

The employer and the unions commit themselves to helping these employees (and where appropriate their families) in the hope that troubled employees will be encouraged to accept assistance on a voluntary basis.

However, based on poor job performance and/or attendance, as noted by a supervisor, a union representative or a fellow worker, mandatory referral may be arranged with the assistance of a counselling service. The Agency will make initial assessment and, where necessary, refer the employee to an appropriate treatment source.

A commitment will be required from the person seeking help that he/she will cooperate in the Program to completion of treatment or follow-up.

Any health problems generated by conditions in an employees' personal life or generated by his/her life style, which interferes with his or her work performance, will be treated as an illness and, as such, will be open to the same benefits as any illness provided that the absence is under the conditions of the Program.

The Program will be coordinated through the Joint Advisory Committee. A counselling agency shall be retained to have personal and confidential contact with Program users.

This counselling service will report its accomplishments regularly to the Joint Advisory Committee. Members of this Committee will be made known in the work place so they may act as a line of communication between employees and the counselling source.

An employee's job security or advancement opportunities will not be adversely affected by their seeking benefit of this Program.

TERMS OF REFERENCE

JOINT ADVISORY COMMITTEE

(Employee Assistance Program)

A group of Labour and Management representative formed to assist and critique the Program by:

- a) acting as a referral agent;
- b) arranging general meetings with all groups to discuss changes in general policy, and suggested changes to the Program gathered from the various groups;
- c) overseeing and monitoring the service provided;
- d) determining what reports and information they wish to receive from the Agency;
- e) giving direction to the Agency on matters pertaining to the Program.

TERMS OF REFERENCE

COORDINATOR

(Employee Assistance Program)

- a) Provide counselling service to all employees at an off-site office with varying hours. Such service to include: psycho-social assessment; information; referral; short term, up to eight sessions, counselling; consultative and any other appropriate services as mutually agreed upon by the Employer and the Agency.
- b) Prepare an orientation and education plan.
- c) Arrange orientation and educational sessions with all staff.
- d) Train Joint Advisory Committee members, and other appropriate personnel in the art of referral.
- e) Attend meetings of the various committees as required.
- f) Submit reports on progress of the Program to the Joint Advisory Committee.

The Coordinator shall provide all services listed above and any contained in the Job Description attached hereto.



EMPLOYEE ASSISTANCE PROGRAM

IMPLEMENTATION

PROCEDURES

1. The Employer will enter into a contract with a service agency to provide an "off-site Coordinator.
2. The Coordinator will prepare an orientation and educational plan for employees in consultation with the Joint Advisory Committee.
3. The Coordinator will arrange to have all members of the Joint Advisory Committee and other appropriate personnel trained in the art of referral.
4. Voluntary referrals may be made with or without consultation of Personnel Department Staff of the Employer. However, if the employee must have time off work, the Personnel Department and the Supervisor of the Employer must be informed. Medical certification will not be required for such absences if the employee is participating in an active treatment program as described in the policy and recommended by the Coordinator.
5. Formal referrals must be made in consultation with the Manager of Personnel Services of the Employer.
6. A master list of employees, to be used on a confidential basis for initial identification purposes only, shall be provided to the Coordinator, as required.
7. General Meetings will be held as required.

## JOB DESCRIPTION

### EMPLOYEE ASSISTANCE PROGRAM COORDINATOR

#### GENERAL

In general, the Employee Assistance Program (E.A.P.) Coordinator, under the supervision of the Manager of Contract Services and Special Projects, will fulfill the duties, tasks and functions of the position at such times and places as called for in the contract established between the Agency and the purchaser of the Employee Assistance Program.

#### SPECIFIC DUTIES

(Subject only to the express terms of the Agency's contract with the employer.)

1. Provide information and referral service to employees as appropriate.
2. Perform assessment, with or without referral, of employees as appropriate.
3. Provide short term counselling to employees as appropriate.
4. Provide consultation and training as to effective referral skills to foremen, supervisors, managers, union stewards, and the Joint Advisory Committee.
5. Provide for and/or provide preventive programs as appropriate and when feasible.
6. Maintain liaison and close collaboration with relevant personnel within the employee's system, e.g., personnel department, union officers, medical department or any other party that may wish to refer a troubled employee to the service.
7. Attend supervision sessions with the Manager of Contract Services on a regularly scheduled basis.
8. Attend E.A.P. Team meetings for the purpose of peer consultation on a regularly scheduled basis.
9. Attend Family Services Social Worker staff meetings.
10. Keep accurate records required by the Joint Advisory Committee and utilize the case recording and service information system of Family Services.

11. Assure confidentiality of case files and the information therein.
12. Attend Management/Employee Joint Advisory Committee meetings for the purpose of reporting service activity and trends, tabling of recommendations as to E.A.P. policy and program, and to receive policy guidelines for promotion, development, operation and evaluation of the E.A.P.
13. Perform such duties as may from time to time be assigned, or as are described in the contract.







## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its FIFTEENTH Report for 1988 and respectfully recommends:

1. That a purchase order be issued to Lyman Tubeco, Oakville, in the amount of \$19 148.43 for the supply and delivery of 925 Hollow Structural Steel Posts to Purchasing Stores, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of six (6) tenders received. Funds provided in Stores Inventory Account No. 0395-1023.

2. That approval be given to renew the lease with C.N.R. for lands on the east side of Ferguson Avenue North, south of Strachan Street East. These lands are used by the Public Works Department for the storage of salt and other materials. The renewal is effective 1988 September 01, at an annual rental of \$4 260 plus taxes, estimated to be \$2 000 per year, to be charged to Account No. 0350-0387. This renewal is for a one year period. The subject parcel contains 11 830 square feet.

3. That approval be given to the Director of Property to utilize the \$35 000 from the unencumbered balance of funds within Account No. 0408-A9-536 - Accommodations - City Hall Relocation and Rearrangement - Various Departments, to purchase additional furnishings and fixtures required to complete the project.

Note: The Finance Committee is pleased to report that the renovations, relocations and rearrangements identified, involving various Civic Departments, authorized by City Council 1987 November 24 have now been successfully completed. A small number of outstanding items and/or deficiencies is presently being attended to.

4. (a) That the outstanding tax arrears in the amount of \$83 123.82 applicable to the listing of properties attached hereto as APPENDIX "A" which the City has acquired under the tax registration process (Municipal Affairs Act) be financed from the Reserve for Property Purchases, Account No. 0280-02.
- (b) That the Director of Real Estate be authorized and directed to proceed with the sale of those properties not required for Municipal purposes and the proceeds from the sale of these properties be credited back to the Reserve for Property Purchases.
5. (a) That a Convention/Reception Grant in the amount of \$1 000 to the Canadian Club of Hamilton to co-sponsor a luncheon for Reverend Billy Graham at the Royal Connaught Hotel, 1988 October 25, be approved.
- (b) That on appeal, a General Grant in the amount of \$5 000 to the Cari-Can Festival to offset costs associated with the festival held at Dundurn Park 1988 August 20 to August 21, be approved.
- (c) That the above grants be funded from within the Grants Budget Account No. 0374-XXXX.
6. That the Summary Report containing a list of approved Settlement of Claims attached hereto as APPENDIX "B", be received.

Respectfully Submitted,

ALDERMAN P. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1988 October 18

mjlw

City of Hamilton  
Treasury

Summary of Properties Acquired by the City of Hamilton through the Tax Registration  
Process (Municipal Affairs Act) where Notice of Forfeiture is Registered  
(Vacant Land)

as at September 14, 1988  
(Forfeiture Date June 2, 1988)

<u>File Number (1)</u>	<u>Assessed Owner and Address (2)</u>	<u>Lot Size (3)</u>	<u>1988 Assessment (4)</u>	<u>Outstanding Taxes (5)</u>	<u>Penalty and Interest (6)</u>	<u>Total (7)</u>
82-173	125 St. Joseph's Drive	80 X 57	2,250	5,175.82	3,376.67	8,552.49
84-17	142 Burlington St. East	24.5 X 180.160	1,256	9,006.11	7,130.00	16,136.11
81-190	391 Rousseau Road	48 X 33.160	60	261.85	184.42	446.27
82-88A	404 Birch	25.670 X 93.330	1,130	5,420.92	5,338.23	10,759.15
82-10A	17 Gerrard	19 X 98.790	2,905	8,516.66	6,920.35	15,437.01
82-5A	1152 Beach Blvd	100 X 108.790	3,631	14,709.29	15,254.78	29,964.07
82-187	743 Bruceedale E	42.110 X 42.370	140	1,335.97	492.75	1,828.72
				<u>\$ 44,426.62</u>	<u>\$ 38,697.20</u>	<u>\$ 83,123.82</u>

APPENDIX "A" as  
referred to in  
Section 4 (a) of the  
FIFTEENTH Report  
of the Finance  
Committee



FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Charlene Scime	City of Hamilton	Fallen Pole 1987 March 17	\$2 000.
Vilma Divencenzo	City of Hamilton	Slip and Fall 1986 December 12	\$1 615.
Bette Rohr	City of Hamilton	Trip and Fall 1986 August 19	\$6 500.

APPENDIX "B" as referred to  
in Section 6 of the  
FIFTEENTH Report of the  
Finance Committee





CA4 ON HBL ADS  
A31

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

### MEETING OF THE COUNCIL

### OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1988 November 8  
7:30 o'clock p.m.  
Council Chambers, City Hall

JT:mjw

### A G E N D A

1. Opening Prayer

2. Presentation

Certificates of Recognition to  
Members of the Mayor's Race Relations Committee

3. Proclamations

Purchasing Management Week, 1988 November 14 to November 18

Recycling Week in Ontario, 1988 November 14 to November 20

4. Minutes

1988 August 25 (Special Meeting of City Council with  
The Hamilton Harbour Commissioners)

1988 October 25

5. Correspondence





6. Reports of the Standing Committees - attached

- (a) Executive Committee
- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (e) Legislation Committee
- (g) Finance Committee

7. Notice of Motion for Next Meeting

8. First Reading of the Bills

9. Second Reading of the Bills - Committee of the Whole

10. Third Reading of the Bills

11. Question Period

12. Adjournment





M I N U T E S



Thursday, 1988 August 25  
12:00 o'clock noon  
Room 233, City Hall

A special meeting of Hamilton City Council was held.

There were present: Alderman D. Christopherson, Acting Chairman  
Alderman R. Wheeler  
Alderman T. Cooke  
Alderman P. Cowell  
Alderman D. Ross  
Alderman J. Gallagher  
Alderman V. Agro  
Alderman G. Copps  
Alderman M. Kiss  
Alderman B. Hinkley

Regrets: Mayor Robert M. Morrow  
Alderman W. McCulloch  
Alderman J. Smith  
Alderman T. Murray  
Alderman H. Merling  
Alderman D. Agostino  
Alderman P. Valeriano

Also present: Mr. John Agro, Chairman, The Hamilton Harbour Commissioners  
Mr. Peter Lush, Harbour Commissioner  
Mr. Clint Flurry, Secretary, The Hamilton Harbour Commissioners  
Mr. Bob Hennessey, Port Director, Hamilton Harbour Commissioners  
Mr. Duncan Beattie, City's Appointee to The Hamilton Harbour Commissioners  
Mr. D. Carson, Mayor's Office  
Mr. E. Kowalski, Director of Community Development  
Mr. B. Loreto, City Solicitor's Office  
Mr. K. Christenson, Acting Waterfront Project Manager  
Mr. B. Warry, Harbour Task Force  
Mr. J. Nolan, Harbour Task Force  
Mrs. G. Simmons, Harbour Task Force  
Mr. Mark Sproule-Jones, McMaster University  
Mr. E. A. Simpson, City Clerk  
Mrs. Susan K. Reeder, Acting Secretary

Alderman D. Christopherson introduced the meeting and thanked all those present for their attendance. He introduced Mr. John Agro, the Chairman of the Hamilton Harbour Commissioners.

Introductions.

Mr. Agro spoke to the Special Meeting of City Council and expressed his thanks for appointing Mr. Duncan Beattie as the City's Appointee to the Hamilton Harbour Commissioners. Mr. Agro indicated that there was some confusion initially at whether Mr. Beattie was the Appointee or the Representative of Hamilton City Council. Mr. Agro then introduced Mr. Peter Lush, a Harbour Commissioner. Mr. Lush gave a slide presentation on the Hamilton Harbour and the work of the Commissioners.

Slide Presentation  
by Harbour  
Commissioners.

Packages of information were distributed to Members of City Council containing the Seventy-Fifth Annual Report of the Hamilton Harbour Commissioners, a brochure entitled "Canada's Heartland Harbour", a publication entitled "The Great Lakes/Seaways System" published by the International Association of Great Lakes Ports and a copy of the Presentation and Visuals being presented at this special meeting of Hamilton City Council.

Information  
distributed.

Mr. Lush outlined the following facts with respect to the Hamilton Harbour:

Facts with respect  
to Hamilton Harbour.

- (a) Hamilton ranks fifth in Canada in terms of total tonnage for domestic cargo. For International Cargo it is ninth in Canada.
- (b) In 1987, a total of 63 million tonnes of Canadian Cargo was shipped through the Saint Lawrence Seaway. Hamilton handled a total of over 18 percent of that cargo.

- (c) Finished goods such as steel, machinery and heavy equipment are the backbone of Ontario's Industrial Economy. In 1987 the Saint Lawrence Seaway System shipped 1.17 million tonnes of this type of overseas general cargo to or from Canada. The Port of Hamilton handled 679 thousand tonnes of this cargo, or 57.6 percent of the total. By comparison Toronto handles 20.4 percent of the total.
- (d) In ranking of International Great Lakes Ports shipping general cargo in 1987, Hamilton was in third place, slightly behind Chicago and Detroit.

Mr. Lush indicated that the Commissioners own eight major shipping piers handling 1.7 million tons of product in 1987 on 320 acres, employing 1,170 people directly and many thousands indirectly. He added that the overseas cargo operation of Pier 8 and Pier 10 in 1987 generated a payroll of 3.1 million dollars and responsible for direct purchases for some 2.3 million in goods and services. Mr. Lush asked that those in attendance consider the spin-off of these expenditures to the Hamilton Community.

On a national scale, Federal duties collected on overseas cargo moving through the Port of Hamilton amounted to 7.75 million dollars in 1987.

Mr. Lush asked that those in attendance consider the significant contribution made by the Hamilton Port to the City of Hamilton's economy. He added that it is the Commissioner's responsibility to protect that economic base, while at the same time "striving to play our part in improving water quality, recreational activities, improving the environment, the quality of life surrounding the harbour".

Mr. Lush spoke on surplus revenues and indicated the following:

"the responsibility of the Commission is to make sure that the port facilities keep up with the economic demands here in Hamilton as well as the anticipated shipping needs of this Region; the other cities which rely on the port. Consequently, excess revenue is continually being ploughed back in to improved port facilities. We have at present a number of major corporations negotiating to develop shipping facilities here in Hamilton".

Mr. Lush spoke on the assets in dollar terms of the Harbour Commissioners and indicated that in 1914 when the City of Hamilton asked the Federal Government to set up the Commission that the fixed assets of the Commissioners was \$215 400. Mr. Lush indicated that expenditures on port improvements through to 1988 has totalled about 52 million dollars and continued to add that market value of these facilities is estimated to be well in excess of 200 million dollars. Mr. Lush indicated that taxes paid to the City in 1987 by the Commission on behalf of its broad base of tenants totals 1.5 million dollars.

Mr. Lush indicated that the Commissioners have reserve funds to cover some future capital improvements that will be needed along with substantial monies from the Federal Government to achieve needed on-going port development programmes.

Mr. Lush indicated that the Commissioners are "preoccupied with the operation of a shipping port" and all of the work that goes along with that. He added that the Commissioners do recognize that they have a responsibility for doing their part in "improving the quality of life around the perimeter of the Bay and to improve the environment".

Mr. Lush indicated the following facts with respect to this aspect:

- (a) The Port has built and operates over 400 berths and moorings for recreational boats. This is 35 percent of the total available in western Lake Ontario.
- (b) The Port of Hamilton founded, in 1970, the first oil spill clean up team in Canada to deal with accidental oil spills on Hamilton Harbour.

Facts respecting  
the Commissioners  
contribution to  
the Community.



- (c) Since 1975, the Hamilton Harbour Commissioners Sailing School has educated over 15,500 students, not only in the basics of sailing, but also on the importance of boating and water safety. He added that the Community Sailing School now teaches over 3,000 students per year and since it was founded the Commissioners have invested over \$700 000 in this programme.

Mr. Lush also indicated that the Commissioners have already donated Pier 4 Park to the City of Hamilton, located beside Leander Boat Club and close to the City's planned Waterfront Park. Mr. Lush also indicated and it was stated in the presentation document that "there is no question we can do more and intend to, working with the City where ever possible, mutually to achieve collective goals".

Mr. Lush spoke on the future development plans of the Harbour Commissioners.

He indicated that strategic planning is an integral part of port management.

He added that the demand for recreational boating berths has continued to outrun the supply and as a result the Commissioners are currently reviewing a feasibility study and plans for substantially increasing recreational boating facilities, docks, etc. Mr. Lush also added that a new public launching ramp is proposed on a site adjacent to the ship canal to better service ship and boating public.

Mr. Lush outlined the plans for the various piers as follows:

(a) Piers 8 and 10 -

These piers are in the review process for re-ramping for more efficient use of these piers.

(b) Pier 11 -

Planned expansion to handle liquid bulk products.

(c) Pier 15 -

Lands purchased by J. I. Case. The Commissioners plan to redevelop the property for commercial shipping purposes, probably in the dry bulk cargo area.

(d) East Port Piers 25, 26 and 27 -

Plans for development of this area are not expected to be completed until sometime after the year 2000.

Mr. Lush added that a substantial portion of the bed of the harbour is under the Commissioner's direct control for shipping and navigation. He added that along the north shore of the Bay, the Commissioners regularly provide waterlot leases at a nominal fee for recreational use.

Mr. Lush indicated that he wants to see recreational aspects of the harbour be compatible with shipping and navigation and the following statement was included in the written presentation and stated at the meeting:

"We support the concept of the City's Waterfront Park, based on the premise that development take place on those lands in waterlots presently owned by the City. We will work in every way possible to continue to achieve compatibility as has historical been the fact; recreational and other public uses functioning effectively, compatibly, with the commercial shipping aspects of the harbour as a port city".

Mr. Lush spoke briefly on the Windemere Basin and the clean-up plans. He added that the clean-up will take approximately two years and will include shoreline landscaping.

Future  
development plans  
of the Harbour  
Commissioners.



Mr. Lush indicated that the Commissioners are present to promote further understanding to the City of Hamilton on the activities at the Hamilton Harbour as well as to convey the importance of the Hamilton Port to the City of Hamilton and the role that it plays on a national basis.

Mr. Lush spoke on his own experiences as a boy at the harbour and spoke on the recreational uses of the harbour, the eyesores which are disappearing, the recreational boating which is increasing. He concluded by indicating that he looks forward to working with the City on mutual goals and future collaborations.

A question and answer period then ensued.

Questions and  
Answers.

Alderman Hinkley.

Alderman Hinkley expressed thanks to the Commissioners for attending. He indicated that the people of Hamilton want part of the harbour for their use. Alderman Hinkley then asked the Commissioners how the public participates in harbour business and asked if it is similar to how the City of Hamilton deals with their conducting of business.

The Commissioners indicated that the press are invited to Harbour Commissioners meetings to hear all issues except those buying property. It was indicated that the City's Appointee has the right to report to City Council on all issues, except those matters of an in-camera nature which the Appointee is sworn to confidentiality in an oath of office. It was added that the Commissioners rely on the media to relay information to the public.

Alderman Hinkley asked if there are public participation programmes, i.e. public meetings in order for the public to provide input on issues being considered by the Commissioners.

The response to this question was no. The Commissioners indicated that items dealing with land acquisition are not made public since release of this information would increase the purchase price.

Alderman Hinkley asked if feasibility studies are undertaken by the Harbour Commissioners to examine the financial aspects of projects undertaken by the Harbour Commissioners.

The Commissioners indicated that this does not occur and added that you can't market what has not been built. They added that the private sector won't invest until they see dock facilities and that docks are therefore built on speculation. They added that they can test on existing business but not speculative business.

Alderman Hinkley asked if studies undertaken by the Harbour Commissioners examine environmental impact of any proposed development.

The Commissioners advised that environmental impact is considered when the development is ensuing and that the Commissioners are obligated to comply with all environmental regulations.

Alderman Hinkley asked if the Federal Environmental Assessment Branch has public meetings to allow for public input when they are considering proposed developments.

The Commissioners advised that they were unsure if this occurs.

Alderman Hinkley asked if the feasibility studies undertaken by the Harbour Commissioners would be released to City Council and the Public.

The Commissioners indicated that these studies would not be released as exposure of these studies would damage the proposed projects.

Alderman Ross

Alderman Ross asked for some clarification on the financial statements for the year ended 1987 December 31 which had been distributed to members of City Council. Some discussion then ensued on the dollar amounts referred to in the statements.

Alderman Ross asked the Commissioners if the "excess of revenue over expenses for the year" referred to in the financial statements should be coming back to the City of Hamilton.

Chairman Agro of the Harbour Commissioners quoted the Terms of Settlement arrived at through Court deliberations and indicated that the Commissioners are to advise the City of Hamilton on issues related to "City's concerns". He added that the interest of the harbour come first and that the excess of revenues are used for harbour development.

Alderman Ross questioned the amount of 9 million dollars referred to in the "reserve for future harbour improvements" and asked if these represented surplus funds.

Mr. Peter Lush, Hamilton Harbour Commissioner indicated that there are no surplus funds.

Alderman Ross asked the Commissioners what their future plans are for these funds and the Commissioners indicated that they would not comment on this as it was a confidential matter.

Alderman Copps asked the Commissioners what their plans for the west end waterlots were, specifically waterlots 1, 2 and 3.

Alderman Copps.

Chairman Agro indicated that they have no plans at this time for those waterlots.

Alderman Copps asked the Commissioners what fill will be used for the proposed land fill project of approximately 125 acres.

Mr. Hennessey, Port Director answered and advised that Pier 27 will be filled with dredging soil contents over the next ten to twelve years and that it will then be capped and used for shipping. It is anticipated that this fill will comprise approximately 125 acres.

Alderman Copps questioned the plans for Pier 11 and the proposed expansion to handle liquid bulk products. She asked what environmental protections would be used for that use.

Mr. Hennessey, Port Director responded by indicating that since late 1970 there has been a decrease in the volume of liquid cargo due to international importing of oil. He added that some of this business is coming back but that it is more of a nitrogen solution business. He added that there is no business for hazardous chemicals and if there was operations would be subject to environmental controls.

Alderman Copps asked for clarification from the Commissioners on the term appointee of the City of Hamilton to the Harbour Commissioners rather than representative of the City to the Harbour Commissioners.

Chairman Agro indicated that in 1979 there was a court case with respect to a dredging scandal. The City's appointee was part of the charged group and if this appointee had been a representative, he would have been linked with the City and thus the City of Hamilton would have been co-responsible for his actions.

The City Clerk concurred that Mr. Beattie is an appointee of the City of Hamilton to the Hamilton Harbour Commissioners.

Alderman Gallagher

Alderman Gallagher questioned the Harbour Commissioners on why they have not appointed someone to sit on the Waterfront Sub-Committee.

Chairman Agro indicated that they had wanted to be involved originally to assist but due to problems arising from planning conflicts with the City of Hamilton they have backed away from participating in the Sub-Committee.

Alderman Gallagher asked whether they will not appoint a representative of the Harbour Commissioners to sit on the Waterfront Sub-Committee.

Chairman Agro indicated that he does not want to be put on a spot on this issue and will have to reconsider this matter. He added that they are interested in having a park at the harbour.

Alderman Gallagher asked when the Harbour Commissioners would make a decision on appointing a representative to the Waterfront Sub-Committee.

Chairman Agro indicated that perhaps in two years time. He further added that when funding is in place from the higher levels of government that the Harbour Commissioners will be involved at that time.

Alderman Wheeler

Alderman Wheeler spoke to the meeting and gave a history of the harbour as he recalls during his growing up years. He spoke of the time when the Bay was acceptable for swimming.

Alderman Wheeler indicated that in 1941 he moved to the Beach Strip. He indicated that at that time this strip was owned by people who owned property along that area. He added that the Highway Department bought land to build bayshore land and that land was then purchased by Stelco and Dofasco. Alderman Wheeler expressed frustrations that the people felt at having their homes so close to industrial operations.

He asked that the Harbour Commissioners think of preserving the harbour bayshore for the people's use.

Chairman Agro indicated that in 1977 Piers 1, 2 and 3 were offered to the City from the Harbour Commissioners in exchange for the City of Hamilton to allow the Commissioners to work in the east end of the harbour for shipping and navigation without being interfered with. He added that this offer was turned down. He further added that the Harbour Commissioners had proposed to build an arena at the harbour and that this had also been rejected. Chairman Agro then expressed frustration and indicated that there would be no more offers from the Harbour Commissioners.

Mr. Lush, a Harbour Commissioner spoke and indicated that in response to Alderman Wheeler's request for the Commissioners to consider allowing the bayshore to be used for people's use that he would consider this request.

Alderman Kiss

Alderman Kiss spoke to the meeting and asked about the jurisdiction over Cootes Paradise.

Chairman Agro indicated that the Royal Botanical Gardens is responsible for running that area and that this responsibility has been granted to them by the Harbour Commissioners for in perpetuity.

Alderman Copps

Alderman Copps spoke to the meeting and asked that the Harbour Commissioners not judge the present Council on the history of the actions and occurrences that have happened with past Councils.



Alderman Christopherson, Chairman of this special meeting then thanked all those who had attended, the Harbour Commissioners, the members of the Harbour Task Force and others for attending this meeting.

This special meeting of City Council then adjourned.

There being no further business, the meeting then adjourned.

Adjournment.

Taken as read and approved,

ALDERMAN D. CHRISTOPHERSON  
ACTING CHAIRMAN  
HAMILTON CITY COUNCIL

Susan K. Reeder  
Acting Secretary  
1988 August 25





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, OCTOBER 25, 1988  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler, Smith, Cowell,  
Gallagher, Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

Mayor Morrow led the Council in a special prayer for former Mayor Victor K. Copps who passed away on October 15, 1988.

Certificates of Appreciation were presented to former members of:

- (i) H.E.C.F.I.
- (ii) Pollution Control Sub-Committee

The minutes of the meeting of October 11, 1988, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Tyka Investments Limited, Suite 207-1119 Fennell Ave. East, Hamilton, Ontario, for a change in zoning, properties located at 282, 284, 288 Gray's Road, dated October 11, 1988.
2. Application from Robert Beatty, 1296 Upper Gage Ave., Hamilton, Ontario, for a change in zoning, property located at 1296 Upper Gage Avenue, dated October 12, 1988.
3. Application from Walter and Mary Matesa, 72 Maple Ave., Stoney Creek, Ontario, for a change in zoning, property located on the south-west corner of Goderich Road and Centennial Parkway North, dated October 13, 1988.
4. Application from 779573 Ontario Inc., c/o Clemente Valeri, 2140 King St. East, Hamilton, Ontario, for a change in zoning, property located in the area south of Rymal Road East and east of the proposed extension of Upper Gage Avenue, dated October 18, 1988.
5. Resignations from City of Hamilton's Licence Committee, dated October 19, 1988:
  - (i) Alderman Tom Murray
  - (ii) Alderman Dominic Agostino

ACCEPTED.
6. Application from Domenic Nocciolino, 250 Gibson Ave. N., Hamilton, Ontario, for a modification to the zoning, properties located at 250 and 252 Gibson Avenue North, dated October 20, 1988.

It was moved by Alderman Wheeler, seconded by Alderman Cowell, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Smith in the chair.

\* \* \* \* \*

(A) EXECUTIVE COMMITTEE - NINETEENTH REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTEENTH REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. -1. CARRIED.

\* \* \* \* \*

The recommendation of the Executive Committee on Section 8 was carried.

\* \* \* \* \*

The recommendation of the Executive Committee on Section 9 was carried.

\* \* \* \* \*

The recommendation of the Executive Committee on Section 11 was carried.

\* \* \* \* \*

The recommendation of the Executive Committee on Section 24 was carried.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Cooke.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of resolutions respecting parking regulations on Charlton Avenue West and Riverdale Drive, and Bill B-81, A By-law to Regulate Traffic. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Merling.

RESOLVED: that the following be added as Section 26.

"26. (a) That the parking regulations approved by City Council on October 11, 1988, for Riverdale Drive, between Delawana and Glenburn, be revised such that the parking prohibition on the west side extends only to the northerly limit of the property at No. 39 Riverdale; and

(b) That City Traffic By-law 66-100 be amended accordingly." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Merling.

RESOLVED: that the following be added as Section 27.

"27. (a) That the parking regulations on Charlton Avenue West, between Locke and Dundurn Streets, be changed back to 'Alternate Side Parking' for the entire block; and

(b) That City Traffic By-law 66-100 be amended accordingly." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Cooke.

RESOLVED: that the following be added to Section 25 as Subsection (e):

"(e) Bill B-81 By-law to Amend By-law 66-100 to Regulate Traffic." - CARRIED.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT.

The recommendation of the Executive Committee on Section 1 was carried.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Copps.

RESOLVED; that Section 4 be referred back. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman Gallagher.

RESOLVED: that Section 8 be amended by adding the following to Subsection (a), after the word "Hamilton" in the second line:

"... that, in exchange for burial lands on the Olmstead Site, located east of Upper James Street, west of Upper Wellington Street, north of Rymal Road and south of Stone Church Road East in the Barnestown Neighbourhood;"

and, further, that Section 8 be amended by adding the following as Subsection (d):

"(d) That DiCenzo Construction Company Limited is:

- i. to dedicate the approximately 25 square meters to be the designated burial ground.
- ii. to relocate, on lands currently under negotiation, the known remains, and any other remains discovered in the future, to the cemetery with archaeological assistance at its expense.
- iii. to pay \$15,000. to the City of Hamilton to be used for the perpetual maintenance funds of this property.
- iv. to fence the designated burial grounds at its expense, subject to the approval of the Ministry and the Parks and Recreation Committee.
- v. to waive any claim that it may have to costs for the work done in preparing the alternative draft plans that were submitted in 1988.
- vi. to finance a plaque designating the Indian



Burial Grounds and a brief history,  
subject to approval of the Parks and  
Recreation Committee." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman  
Wheeler.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked  
for this meeting of City Council in order to permit  
consideration of a resolution to request the Minister  
Responsible for Senior Citizens Affairs to hold one  
of its Regional Seminars for Senior Citizens in the  
City of Hamilton. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman  
Wheeler.

RESOLVED: that the Council of The Corporation of the City of  
Hamilton request the Honourable M. Wilson, Minister  
Responsible for Senior Citizens Affairs, to include  
the City of Hamilton as a location for one of her  
Regional one-day Seminars for Senior Citizens.

NOTE: The Minister Responsible for Senior Citizens  
Affairs has planned a series of six Regional  
seminars throughout the Province of Ontario  
for this Fall and next Spring. These one-day  
seminars are to provide senior citizens with a  
stimulating forum to meet one another, exchange  
ideas, and gain new useful information. - CARRIED.

\* \* \* \* \*

Alderman Wheeler declared personal interest in, took no part  
in the debate, and refrained from voting on Section 8 as is  
being sued by the owner of the Construction Company.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWENTY-FIRST REPORT.

\* \* \* \* \*

(F) PERSONNEL COMMITTEE - TWELFTH REPORT.

\* \* \* \* \*

(G) FINANCE COMMITTEE - FIFTEENTH REPORT.

\* \* \* \* \*



(H) LICENSING COMMITTEE - FOURTH REPORT.

\* \* \* \* \*

It was moved by Alderman Copps and seconded by Alderman Wheeler.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution to request a meeting with the Treasurer of Ontario to discuss the ramifications of Bill 119 - An Act to Amend the Ontario Lottery Corporation Act. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Copps and seconded by Alderman Wheeler.

RESOLVED: that Mayor R. M. Morrow be authorized to request a meeting with The Honourable R. Nixon, Treasurer and Minister of Economics, to express the concerns of the City of Hamilton with respect to the passing of Bill 119, Ontario Lottery Corporation Act, 1988. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Christopherson.

RESOLVED: that Alderman P. Cowell be appointed Acting Mayor for the month of November, 1988. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Agro.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of resolutions respecting the Licensing Committee. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Valeriano.

RESOLVED: that the Hamilton-Wentworth Regional Police be requested to investigate any allegations of wrongdoings with respect to the operations of the Licensing Committee, and that any members of City Council, or the public, who possess information respecting wrongdoing to come forward to the police. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 14.

NAYS: 0 - CARRIED.

It was moved by Alderman Hinkley and seconded by Alderman Valeriano.

RESOLVED: that the Chief Administrative Officer, in conjunction with the Legal Department, prepare a report outlining the legislation, mandate, responsibility, operational procedures, and manner of conduct in which the Licensing Committee should operate, and the report be sent to the Legislation Committee and discussed in open session. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Cowell, Gallagher, Murray, Ross. - 13.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Cowell.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Murray. - 13.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Cowell.

RESOLVED: that the following Bills be now read a first time:

A-23,  
B-77, B-78, B-79, B-80, B-81,  
D-120, D-121, D-122, D-123, D-124 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Cowell, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Smith in the chair.

A-23,  
B-77, B-78, B-79, B-80, B-81,  
D-120, D-121, D-122, D-123, D-124.

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Cowell.

RESOLVED: that the following Bills be now read a third time.

A-23,  
B-77, B-78, B-79, B-80, B-81,  
D-120, D-121, D-122, D-123, D-124.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler, Smith, Murray. - 12.

NAYS: 0 - CARRIED.

\* \* \* \* \*

CITY COUNCIL ADJOURNED AT 10.15 O'CLOCK, P.M.

\* \* \* \* \*







## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Executive Committee presents its TWENTIETH Report for 1988 and respectfully recommends:

1. (a) That the Civic Buildings Energy Conservation Project at a gross estimated cost of \$100 000 as provided for in the 1988 Portion of the 1988-1992 Capital Budget be proceeded with at this time, and be financed from the Reserve for Capital Projects, Account No. 0280-27.
- (b) That the Director of Property be authorized and directed to undertake this work.

NOTE: This Capital Project was approved by the Finance Committee at its meeting of November 1, 1988.

Areas of energy conservation consideration include mechanical and electrical improvements, heating system renovations, increased insulation in various structures through window and door replacements, weather stripping of openings, insulation application to walls and ceilings, replacement of roof coverings with materials of increased "R" value etc. One such project proposed involves the renovation and upgrading of hot water heating systems at the Woodward and Melvin Avenue Fire Station and the Mohawk and Wentworth Fire Station to improve the overall heating system efficiency, improved heat distribution to the occupied space and ultimately a potential partial cost recovery through reduced utilities consumption. It is estimated that the combined renovations at the Fire Halls will cost approximately \$60 000. Additional projects are also presently being assessed in priority order, planned and costed for the balance of 1988 Energy funding and for proposed 1989 Energy Conservation consideration.

2. (a) That the project - Construction Costs for Accommodation Requirements - City Hall at a gross estimated cost of \$225 000 as provided for in the 1988 Portion of the 1988-1992 Capital Budget be proceeded with at this time, and financed from the Reserve for Capital Projects, Account No. 0280-27.
- (b) That the Director of Property be authorized and directed to undertake this work.

NOTE: This Capital Project was approved by the Finance Committee at its meeting held November 1, 1988.

This project provides for renovating and rearranging space within City Hall, involving various Civic Departments. Specifically included is provision for the rearrangement of offices within the Treasury Department to provide for private offices for the Pension and Budget supervisors, improvements to the cashiers workstations and facilities to accommodate computer workstations.

Also provided for is the rearrangement and updating of the space occupied by the Traffic Department which is in need of attention due to its overcrowded condition. Funds remaining after these renovations will be utilized for miscellaneous office renovations and rearrangements which develop throughout the year but have not yet been identified.

3. (a) That the provision for the replacement of the Sound System in Hamilton Place as provided for in the 1988 Portion of the 1988-1992 Capital Budget be increased from \$200 000 to \$202 000 and be proceeded with at this time.
- (b) That this Capital Project be financed from HECFI's Reserve for Capital Projects, Account No. 0280-48.

NOTE: The HECFI Board of Directors approved this project at their meeting held October 21, 1988.

4. That approval be given for the Hamilton Public Library Board to purchase fifteen (15) wands for the automated circulation system at a maximum cost of \$25 000 as provided for in the 1988 Portion of the 1988-1992 Capital Budget, and that same be financed from the Reserve for Library Capital Projects.

NOTE: With the adoption of Section 2 of the SEVENTEENTH Report of the Executive Committee, City Council at its meeting on September 27, 1988 authorized this project to proceed at a cost of \$20 000. The estimated cost of this project is in fact \$25 000 and provision in the amount of \$25 000 is included in the 1988 Portion of the 1988-1992 Capital Budget.

5. (a) That the provision for Computer Environment Improvements in the 1988 Portion of the 1988-1992 Capital Budget in the amount of \$350 000 be reduced by \$300 000 to \$50 000 and be proceeded with at this time.

- (b) That the gross estimated cost of this Capital Project in the revised amount of \$50 000 be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: This Capital Project was approved by the Information Systems Committee at its meeting on October 27, 1988 and by Regional Council at its meeting on November 1, 1988.

In preparation for the 1989-1993 Capital Budget submission, a review of current City Capital funds availability has been performed. A review of Regional funding is currently in progress.

These funds were established in the Capital Budget to address computer environment concerns associated with protecting the capability of the system should a disaster occur. In view of the amalgamation of the System functions an alternative plan can be developed to utilize processing capabilities that can be made available in a reasonable period of time at another of the available sites.

This alternative reduces the urgency of this expenditure and will reduce the requirement by \$300 000. The remaining amount (\$50 000) will be used to provide for a reusable and relocateable raised floor for the computer equipment, and other short-term security and environment improvements.

6. That the Computer Software Project as provided for in the 1988 Portion of the 1988-1992 Capital Budget at an estimated cost of \$125 000 be proceeded with at this time and be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: This Capital Project was approved by the Information Systems Committee at its meeting on October 27, 1988 and by Regional Council at its meeting on November 1, 1988.

This project provides for Computer Software to develop and maintain user systems.

7. That the last portion of the Database/4th Generation Language Project as provided for in the 1988 Portion of the 1988-1992 Capital Budget be proceeded with at this time at an estimated gross cost of \$150 000 and be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: This Capital Project was approved by the Information Systems Committee at its meeting on October 27, 1988 and by Regional Council at its meeting on November 1, 1988.



At its meeting on August 26, 1986, City Council approved the initial funding of \$400 000 for the Database/4th Generation Language Project. A Council approved Study (May 12, 1987) is currently under way which will result in recommendations regarding appropriate Database and 4th generation language software. This study is expected to be completed next month. The 1988 (last year) funding of \$150 000 for this Project should be approved to permit implementation. All expenditures will be subject to the recommendations arising from the Study being approved by Council.

8. (a) That the Organization Chart for INFORMATION SYSTEMS attached hereto as Schedule "A", be approved.

NOTE: There is no change to the "head count" regarding the number of employee positions before and after the reorganization.

- (b) That the following positions be eliminated as they become vacant:

Manager of Systems (City)  
Manager of Systems (Region)  
Manager of Systems (Region/HSR)  
Supervisor of Systems and Programming (City)  
Supervisor of Operations (City)  
Supervisor of Support Services (City)  
Assistant Supervisor of Operations (City)  
Programmer II (3) (City)  
Systems Analyst (City)  
Junior Programmer (Region)  
Console Operator (City)

Total positions to be eliminated via attrition: 13

- (c) That the following Information System positions be established as attrition/vacancies permit:

Manager of Business Application Systems  
Manager of Process Control Systems  
Assistant Manager of Process Control Systems  
Manager of Operations  
Assistant Manager of Operations  
Manager of Support Systems  
Supervisor of Systems Technical Services  
Supervisor of Business Application Systems  
Manager of Systems Planning  
Programmer I (2)  
Systems Programmer  
Supervisor Console Operations

Total positions to be established: 13

- (d) That the appropriate steps be taken to reclassify the following positions:

Senior Staff Assistant  
Clerk Typist III  
Stenographer III

- (e) That the Commissioner of Human Resources be authorized to take the appropriate measures to implement the Organization Chart for Information Systems.
- (f) That the Director of Information Systems report to the Information Systems Committee regarding the status of all other existing "Systems-related" positions in the Region and City in connection with the preparation and presentation of the 1989 Budget Estimates.

NOTE: In order to provide for consistent systems development, support and backup (of staff and systems), the existing staff within the Region and City whose main function is Systems-related should report to Information Systems. Where appropriate, some staff may functionally report to the individual Department, but will Administratively report to Information Systems. Each case should be dealt with on an individual basis in consultation with the respective Department Head. This process is under way and will be completed prior to submission of the 1989 Current Budget.

- (g) That this report be forwarded to the Region's Personnel and Finance Committee for information.

9. (a) That the policy of charging an annual fee for crossing City road allowances with overhead pedestrian bridges within the "+15" Pedestrian System around L. D. Jackson Square as shown on the attached plan marked as Schedule "B" be amended so as to exempt this "+15" Pedestrian System area of the City from this charge in instances where the overhead bridge is being used solely as a pedestrian link between two buildings and is not being utilized for any direct rent producing function within the bridge itself (i.e. the lease of retail boutique space on the bridge).
- (b) That the Regional Municipality of Hamilton-Wentworth be requested to implement a similar policy which in effect would waive the annual fee charged to owners of pedestrian bridges crossing Regional roads within the same "+15" Pedestrian System area around L. D. Jackson Square.



NOTE: If pedestrian bridges crossing City streets in the vicinity of L. D. Jackson Square are exempted from an annual fee, the lost revenue to the City will be approximately \$7 500 per annum per crossing. No fees are being collected by the City at the moment since only one bridge structure exists and it crosses a Regional Road.

With the adoption of Section 6 of the TWENTY-FIFTH Report of the Planning and Development Committee, City Council at its meeting on November 10, 1981, approved the concept of creating a "+15" pedestrian system in the downtown core of the City in the area around the L. D. Jackson Square.

Since that time, one overhead bridge connecting the Convention Centre to the Sheraton Hotel has been put in place. This structure was solely funded by the City and a second overhead pedestrian link is in the offing, connecting the proposed Hamilton Eaton Centre to the newly constructed York Boulevard Parkade. This connection is being paid for at the sole cost of the developer of the Hamilton Eaton Centre - Cadillac Fairview/Eaton's and represents the first connection funded purely by private enterprise within the area being promoted by the City to accommodate these overhead pedestrian links.

The existing policy of the City and the Region as the case may be is to charge an annual fee for the privilege of crossing City and Regional road allowances. The fee is based upon the value of the land encumbered by a bridge structure. In the case of the York Boulevard crossing for example, the annual fee is \$7 800 per annum and is subject to periodic review to reflect current market variances.

The Executive Committee is of the opinion that while the City wants to encourage the inclusion of "+15" pedestrian walkways in the core of the City, the system is being discouraged by the charging of rather substantial annual fees.

10. That the Offer to Purchase the property at 18 Main Street East (south-west corner of Main Street East and Hughson Street South) from DeSantis Group Inc. as approved by City Council on July 26, 1988 be amended as follows:

- (a) that the closing date of the transaction be extended from December 14, 1988 to May 29, 1989;

- (b) that the development proposed for the site and recited in Schedule "A" attached to the Offer to Purchase be amended to provide for one level of underground private parking - 55 spaces - for use by apartment tenants instead of the two levels originally contemplated.

NOTE: All other terms and conditions of the Agreement shall remain the same and time is of the essence.

In adopting Section 8 of the FIFTEENTH Report of the Executive Committee, City Council at its meeting on July 26, 1988 authorized the sale of the property at 18 Main Street East to DeSantis Group Inc. for the sum of \$1 675 000. The property was disposed of on a proposal call basis with the development proposed for the site being a factor, as well as the sum offered, in determining the successful proponent.

The development originally proposed by DeSantis called for mixed use containing 9 000 square feet of commercial space at grade, five levels of parking above containing 275 spaces, one floor of office space containing 16 000 square feet, six floors of courtyard condominium luxury apartment units - 64-72 in number, and two levels of underground private parking below grade (110 spaces) for use by apartment and office tenants.

The transaction was to close on December 14, 1988 and is subject to obtaining site plan approval. The construction covenant states that construction is to commence no later than August 30, 1989 and be completed no later than June 30, 1991.

- 11. (a) That 52 James Street South Limited, the present owner of the Historic Bank of Montreal Building, be notified that its Application (H-173-88) to the Land Division Committee for Consent to sever the Bank from the adjacent lot is an anticipatory breach of its covenant to develop the Historic Bank of Montreal building in combination with an office tower on the adjacent lot, and;
- (b) In accordance with its development covenants to the City, the City hereby requires 52 James Street South Limited to withdraw its Application for Consent to sever the vacant lot from the bank to establish two separate parcels.
- (c) That the Land Division Committee be notified that the City of Hamilton opposes the Application for Consent to sever into two separate parcels the Historic Bank of Montreal and the adjacent vacant lot.

NOTE: The Historic Bank of Montreal Building was conveyed by the City to 52 James Street South Limited on December 9, 1987, subject to specific development covenants and obligations assumed by the new property owner and set out in the City's deed as well as the Agreement of Purchase and Sale between the City and the purchaser.

The application of 52 James Street South Limited to the Land Division Committee, if approved, will authorize the bank owner to divide the Historic Bank of Montreal building and the adjacent parking lot into two separate parcels in order that they may be sold to separate purchasers. This is a major departure from the bank owner's original agreement with the City to develop the bank with the adjacent lot as one unique combined development. Any amendment sought by the developer to its agreement with the City must first be approved by Council.

12. (a) That a contribution of up to \$5 000 be made to assist the Federation of Canadian Municipalities in its national advertising campaign to co-ordinate its efforts with respect to the infrastructure lobby.
- (b) That this expenditure be financed from Account No. 0370-0261-Public Relations-City Promotion.

NOTE: The FCM infrastructure lobby involves a series of press conferences, advertising in newspapers, publications of new background materials, communications with candidates of all parties and editorial coverage.

As part of the campaign, a half page advertisement will be placed in The Hamilton Spectator and a press conference on this issue will be held in City Hall on Tuesday, November 8, 1988.

13. That the Council of The Corporation of The City of Hamilton advise the Archives Steering Committee of the Hamilton Public Library Board, of its support of the Municipal Archives Program and specifically its intention to retain a consultant to study the need for and scope of an archive for storing municipal and other historical records.

NOTE: With the adoption of Section 13 of the SIXTEENTH Report of the Executive Committee, City Council at its meeting on September 1, 1987 requested the Hamilton Public Library to provide a report outlining the studies and actions necessary for the development of a City Archive.

The cost to The City of Hamilton for this particular study will be dependent upon the number of other municipalities and related agencies within the region that agree to participate in the study.

Cost estimates for the study will be developed and all participants will have the opportunity to "opt out" of the study prior to the signing of any contract with a consultant which is anticipated for April 1989.

14. That leave be granted to introduce the following Bills:

- (a) Bill A-24      A By-law to Authorize an additional expenditure for the construction of a new Public Works Yard at or near Turner Farm on Rymal Road East to serve Districts 3, 4 and 5 and Mount Hamilton Cemetery.
- (b) Bill A-25      A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

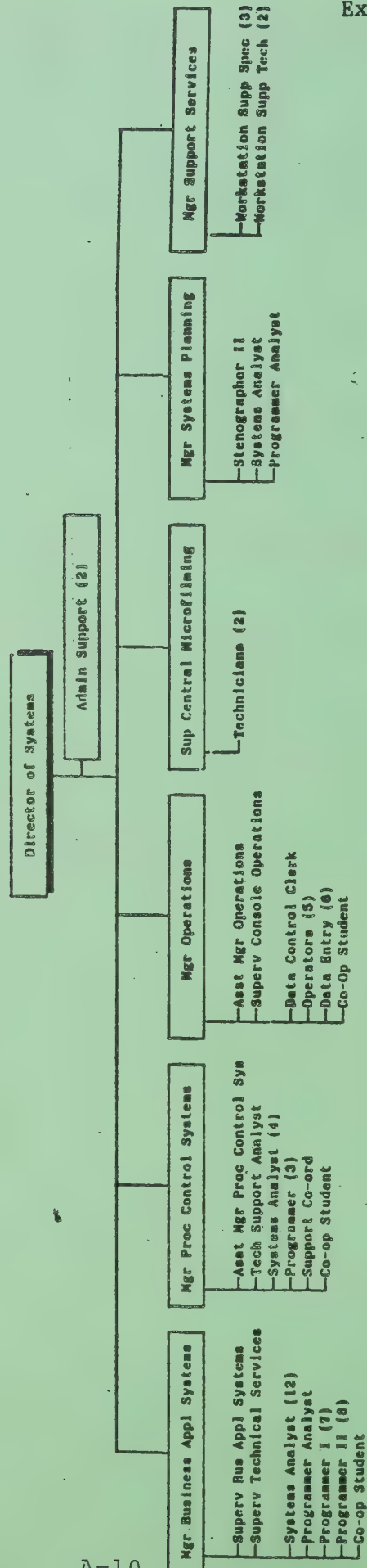
RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
EXECUTIVE COMMITTEE

J. J. Schatz  
Secretary  
1988 November 3  
/bc



Schedule "A" referred to in Section 8 of the TWENTIETH Report of the Executive Committee for 1988.

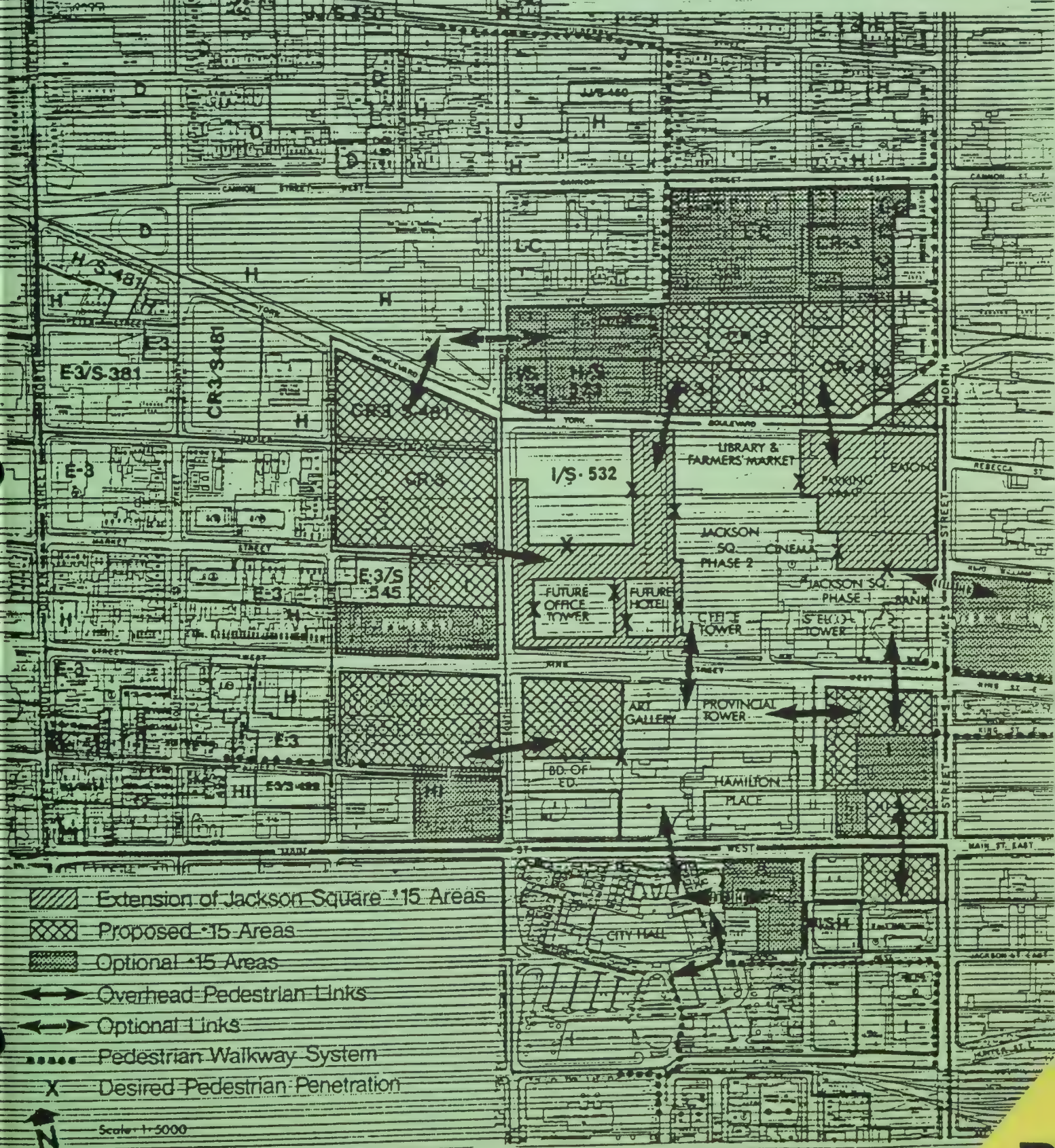




Schedule A

# Proposed Upper Level Walkway System +15 Conceptual Plan

Schedule "B" referred to in Section 9 of the TWENTIETH Report of the Executive Committee for 1988.











## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

### Members of Council:

The Transport and Environment Committee presents its SIXTEENTH Report for 1988 and respectfully recommends:

1. That a purchase order be issued to Shersdale Inc., o/a Electrical Maintenance Services, Hamilton in the amount of \$11 810 to provide Electrical Services, Brampton Yard, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in Construction of Brampton Yard Account No. 0364-9819.

2. That a purchase order be issued to Owl-Lite Signs Inc., Rexdale, for the supply and delivery of Sign Blanks as and when required during 1988 for the Traffic Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of four (4) tenders received. Funds provided in Stock Materials-Signals Account No. 0394-3325.

3. That the Director of Property be authorized to acquire lands (part of Lot 9, Concession 8 comprising approximately 16,257 square feet) from the owners of 564 and 570 Stone Church Road East which are required for roadway purposes (Acadia Drive and Butler Drive) for the Aquino Gardens draft plan of subdivision, in order to implement the approved Butler Neighbourhood Plan.

4. That the application of Ryan M. Paquette, Solicitor, on behalf of the present owner of 7 Pearl Street North Hamilton, Jean and Yvonne Despres, to retain the inadvertent encroachment consisting of a front porch measuring 10.31' (3.143m) x 2.12' (0.646m), be approved during the pleasure of City Council provided:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.



- (b) That a first year fee of \$125, and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
5. (a) That the "Hamilton International Airshow" be permitted to display a promotional banner across Main Street West, in front of City Hall, from June 12, 1989 to June 18, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"15th HAMILTON INTERNATIONAL AIR SHOW  
JUNE 17 & 18  
HAMILTON AIRPORT"

- (b) That the "Boris Brott Summer Music Festival" be permitted to display a promotional banner across Main Street West, in front of City Hall, from July 03, 1989 to July 10, 1989 subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"BORIS BROTT SUMMER MUSIC FESTIVAL  
JULY 1 - JULY 31ST"

- (c) That "Young Drivers of Canada" be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 15, 1989 to May 21, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"YOUNG DRIVERS CHAMPIONSHIP  
CENTRE MALL, MAY 28TH"

- (d) That the "Ottawa Street B.I.A." be permitted to display a promotional banner across Main Street West, in front of City Hall, from June 19, 1989 to June 26, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"4TH ANNUAL OTTAWA STREET SIDEWALK FESTIVAL"

- (e) That "Junior Achievement of Hamilton-Wentworth" be permitted to display a promotional banner across Main Street West, in front of City Hall, from Monday, February 20 to Monday, February 27, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"JUNIOR ACHIEVEMENT WEEK  
FEBRUARY 26 - MARCH 4, 1989"

- (f) That the "Canadian Home Builders' Association" be permitted to display a promotional banner across Main Street West, in front of City Hall, from January 29, 1989 to February 06, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1985, September 30, 1986 and January 13, 1987, with the following message:

"WELCOME CANADIAN HOME BUILDERS' ASSOCIATION"

6. (a) That the City accept the deed for Part 2, Plan 62R-9676, a parcel of land south of Rymal Road, east of Upper Gage Avenue, from the Board of Education to the City of Hamilton for one (1) dollar; and
- (b) That the City, after receipt of Part 2, Plan 62R-9676, transfer the said parcel to 775973 Ontario Inc., for one (1) dollar for inclusion in Lillian Heights - Phase 1 Subdivision for a road allowance; and
- (c) That the City Solicitor be authorized and directed to approve any necessary documentation for these transactions, subject to the Developer's Solicitor preparing and subsequently registering all required documentation.
- (d) That the Mayor and City Clerk be authorized and directed to execute all required documentation to complete these transactions.
7. (a) That, in combination with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on the south side of Nightingale Street commencing 172 feet east of the east curb line of Steven Street and existing to a point 20 feet easterly therefrom, and on the north side of Nightingale Street commencing 167 feet east of the east curb line of Steven Street and extending to a point 20 feet easterly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Carmen D'Antonio, 18 Nightingale Street; and
- (c) That City Traffic By-law 66-100 be amended accordingly.

8. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first four applicants residing in the building at No. 23 Sanford Avenue South.
9. (a) That the U-Shaped alley running northerly from MacAuley Street in the block between James Street North and Hughson Street North be operated one-way in the counter clockwise direction.  
(b) That City Traffic By-law 66-100 be amended accordingly.
10. (a) That a three-way stop control be implemented at the intersection of Melbourne Street and Poulette Street; and  
(b) That City Traffic By-law 66-100 be amended accordingly.
11. (a) That the Federal Government - Ministry of Employment and Immigration be requested to continue its contribution to the Hamilton-Wentworth Third Sector Youth Employment Program for as long as the Youth Employment Program continues.  
(b) That the other area municipalities and the Region of Hamilton-Wentworth be appraised of this request to the Federal Government and that they likewise request the Federal Government to continue its support for recycling.  
(c) That the Region of Hamilton-Wentworth evolve a more proactive participation in recycling by increasing its diversion credit to Third Sector Employment Enterprises as the direct benefits of recycling reduced demand on landfill sites, benefits the Region.  
(d) That Third Sector Employment Enterprises be requested to estimate a 5 year capital budget and a 5 year current budget recognizing that such budgets are susceptible to change.  
(e) That provision for the diversion credit be included in the 1989 current Budget.

12. That leave be granted to introduce the following Bills:

- (a) B-82 By-law respecting construction of local improvements of a concrete sidewalk and curb on the west side of Adeline Avenue between Barton Street and Mahoney Avenue.
- (b) B-83 By-law respecting construction of local improvements of a concrete sidewalk on Stone Church Road West in the vicinity of Upper Paradise Road.
- (c) B-84 By-law to Amend By-law 66-100 to Regulate Traffic.
- (d) B-85 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1988 October 31









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

### Members of Council:

The Parks and Recreation Committee presents its NINETEENTH Report for 1988 and respectfully recommends:

1. (a) That a purchase order be issued to Igor Barta Architect, Burlington, in the amount of \$34 000 to provide full architectural and engineering services for alterations at Bernie Arbour Stadium, in accordance with the Project Brief prepared by the Architectural division of the Property Department, and Vendor's tender.

(b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest of three (3) tenders received. Funds provided in Upgrade Bernie Arbour Stadium to Professional A Standards Account No. 0408-C76453.

2. That a purchase order be issued to Ja-Dy Construction, Stoney Creek, in the amount of \$12 981 for Renovations to Gage Park Greenhouse in accordance with Vendor's quotation.

NOTE: Only quotation received. Funds provided in Greenhouse Operations Account No. 0364-4019.

As this work is to be completed before the winter months, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, or the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. That a purchase order be issued to Marta Paving Company, Hamilton, in the amount of \$44 192.50 to Landscape the Rose Garden, Gage Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in Upgrading of Gage Park Account No. 0408-C86485.

As this work is to be completed prior to the Fall Mum Show, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, or the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

4. (a) That the Tariff of Charges for City-owned cemeteries appended hereto as Appendix "E", be approved upon receipt of approval from the Ministry of Consumer and Commercial Affairs, Cemeteries Branch and implementation on January 02, 1989.
- (b) That the City Solicitor be authorized and directed to prepare a By-law to amend Cemetery By-law 8861 so as to provide for the increase in the Tariff of Charges.
- (c) That the Manager of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Affairs, Cemeteries Branch, for approval of these rates.
5. That permission be granted to the Hamilton Chinese Community to have a Memorial erected in Section 21, Lots #762 and #791A of Woodland Cemetery, recognizing:
  - (a) That no burials are to take place in this location and
  - (b) That all work and ceremonies are to be carried out in accordance with the Cemetery Rules and Regulations, including the payment of the two four-grave lots at a cost of approximately \$5 400, by the Hamilton Chinese Community.
6. That the attached Revised Statements of Purpose - Policies for Dundurn Castle, The Hamilton Military Museum, Whitehern and the Children's Museum attached herewith and marked Appendix "A" to "D" respectively BE APPROVED.
7. That Council authorize the establishment of a "Building Fund Foundation" the purpose of which will be to raise funds for the New Senior Citizens Centre.

NOTE: It is envisaged that the fund, when established, will operate on the following basis:

- (a) The new seniors centre building fund would have a separate account, and monies received would only be spent in conjunction with the building of a new seniors centre in the City of Hamilton.
- (b) The fund would be controlled and monitored by the City Treasurer.
- (c) Charitable receipts for income tax purposes would be issued by the City Treasurer.

- (d) The Seniors Council would be authorized to assist in the solicitation of donations towards the building fund.
- (e) No monies would be spent from the building fund without prior consultation with the Seniors Council.
- (f) All interest accrued will be credited back to the building fund.

When City Council establishes this foundation, the Seniors Council will meet with the necessary City officials in order to develop operating procedures to receive funds and issue receipts.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1988 November 01





STATEMENT OF PURPOSE: DUNDURN CASTLE

Dundurn Castle is owned and operated by the Corporation of the City of Hamilton, under the direction of the Department of Culture and Recreation.

It has been established as a public museum to collect, preserve, research, house, exhibit and interpret, according to museum standards, all those artifacts which best serve to illustrate the life and times of Sir Allan Napier MacNab (1798-1862), his family, buildings, and surrounding gardens, with a focus date of 1855. The museum will promote public awareness through tours, exhibitions, programmes and written documentation. Interpretative programmes, including demonstrations and activities, will never be a risk to the buildings and objects in the collection as preservation will always be the first consideration.

The Castle will serve the residents of Hamilton and surrounding areas as well as visitors from Canada, the United States and those from abroad.

This statement may not be altered without the consent of the Corporation of the City of Hamilton.

Revised September 29, 1988



STATEMENT OF PURPOSE: THE HAMILTON MILITARY MUSEUM

The Hamilton Military Museum is owned and operated by the Corporation of the City of Hamilton under the direction of the Department of Culture and Recreation and will serve primarily the residents of Hamilton and surrounding areas.

The museum has been established to collect, preserve, research, house, exhibit and interpret, according to museum standards, all those objects which best serve to illustrate the military history and traditions of Canada from the Loyalist period to ca.1972, using local examples wherever possible. It will promote public awareness of the collection through exhibitions, tours, programmes and written documentation; however, the building and objects on display will never be at risk as preservation will always be the first concern.

This statement may not be altered without the consent of the Corporation of the City of Hamilton.

Revised September 29, 1988





STATEMENT OF PURPOSE: WHITEHERN

Whitehern is owned and operated by the City of Hamilton under the direction of the Department of Culture and Recreation.

Whitehern, originally owned by the McQuesten family, was given to the City of Hamilton in 1968. A legal agreement between the last surviving members of the family and the City outlined the terms of the bequest. It stated that Whitehern be kept open as a "period piece" and be "maintained as a memorial to Dr. Calvin and the Honourable Thomas Baker McQuesten".

Whitehern (with its original furnishings, garden, stables, and family possessions), has been preserved in accordance with the bequest agreement to depict the domestic life of three generations of the McQuesten family (1852-1968), who were notable for their "industry, enterprise, and public service".

The museum will preserve, research, exhibit, and interpret "in situ" those objects which were donated within the McQuesten bequest. The museum will also collect, preserve, research, exhibit and interpret additional objects which are documented and deemed to be significant additions to the McQuesten collection and archives.

All restoring, collecting, interpreting and exhibiting will be done in harmony with the documented research of the site to ensure an accurate presentation of the McQuesten family and their home. All such work will be done in keeping with museum standards and regulations so that the building and collection will not be subject to damage.

The museum will serve the residents and visitors of Greater Hamilton by informing and developing public awareness of exhibits through guided tours, interpretive programmes, special events, promotions, and written documentation.

This statement may not be altered without the consent of the Corporation of the City of Hamilton.

Revised September 29, 1988



## APPENDIX "D"

### STATEMENT OF PURPOSE: THE CHILDREN'S MUSEUM

The Children's Museum is owned and operated by the Corporation of the City of Hamilton, under the direction of the Department of Culture and Recreation, to serve the population, and visitors to Greater Hamilton.

It has been established to encourage children of all ages to discover, through a participatory experience, a sensory awareness of the world around us; a knowledge of all aspects of our local area - past, present and future; an understanding of childhood through the ages.

The museum will collect, conserve, preserve, exhibit, interpret and research the artifacts according to acceptable museum standards. It will inform the public through tours, promotion, programmes and written documentation.

#### Guidelines:

- 1) That there will be three exhibits during the year; two of which tie into school curriculum, and one of which runs during the summer, and is of current interest and wide appeal.
- 2) That both the pre-schooler and the pre-teen will be provided with at least one learning centre suitable to their age level for each exhibit.
- 3) That the museum will seek to develop a collection of permanent display items, artifacts, and historical objects.
- 4) That the museum will seek, when possible, and continue to develop relevant special event programming, on and off site; that the museum will strive to expand extension services to meet the needs of the community at large.

This statement may not be altered without the consent of the Corporation of the City of Hamilton.

Revised September 29, 1988



HAMILTON MUNICIPAL CEMETERIES' TARIFF OF

THE NINETEENTH REPORT OF THE

JANUARY 2, 1989

PARKS AND RECREATION COMMITTEE

(Cemeteries By-Law No. 8861)

	Resident and Non-Resident <u>Realty Taxpayers</u>	<u>Non-Residents</u>
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OPENING AND CLOSING

<u>Dressing - \$34.00</u>	<u>Device - \$28.00</u>
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6 ft. adult, includes dressing and device.....	331.00	385.00
8 ft. adult, includes dressing and device.....	449.00	500.00
6 ft. child, includes dressing and device: case up to 60"	226.00	322.00
includes <u>dressing only</u> (no device for case 42" or less)	198.00	295.00
without dressing and device.....	164.00	261.00
6 ft. child, includes dressing and device: case 61" to 72"	250.00	364.00
includes dressing only.....	223.00	336.00
without dressing and device.....	189.00	302.00
8 ft. child, includes dressing and device: case up to 60"	250.00	364.00
includes dressing only.....	223.00	336.00
without dressing and device.....	189.00	302.00
8 ft. child, includes dressing and device: case 61" to 72"	279.00	405.00
includes dressing only.....	251.00	377.00
without dressing and device.....	217.00	343.00
Baby Special - up to one month old.....	38.00	61.00
Cremation .....	110.00	157.00
Mansion of Memories (Stoney Creek) (new crypts only).....	272.00	320.00

Note: Lowering device is not used if case is 42" or lessLOWERING (opening charges not included)

Adult	From 6 ft. to 8 ft. - shell.....	227.00	343.00
	From 6 ft. to 8 ft. - steel vault.....	440.00	661.00
	From 6 ft. to 8 ft. - Concrete vault or crypt...	527.00	792.00
Child	From 6 ft. to 8 ft. - 5 to 10 years.....	157.00	233.00
	From 6 ft. to 8 ft. - under 5 years.....	75.00	111.00

REMOVALS

Adult	Shell.....	1,148.00	1,718.00
	Concrete vault or crypt.....	973.00	1,456.00
Child	Shell.....	283.00	440.00
	Concrete vault or crypt.....	303.00	449.00
Cremation .....		110.00	157.00



# HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

JANUARY 2, 1989

<u>Resident and Non-Resident Realty Taxpayers</u>	<u>Non-Residents</u>
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## SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE

### Adult Single Grave (3½' x 10')(4' x 9')(4' x 10')

Graves cannot be selected or purchased in advance  
but are opened in sequence.....

318.00

393.00

### Preferred Single Grave (3½' x 10')(4' x 10')

Where grave may be selected and purchased  
in advance of need.....

532.00

658.00

### Child Single Grave

Case up to 60" (2' x 5').....  
Case 61" to 72" (3' x 6').....

76.00

99.00

113.00

148.00

### Urn Garden (1 3/4' x 5').....

177.00

216.00

### Veteran's Grave (3½' x 10').....

302.00

### Social Services Grave (3½' x 10')(4' x 9')(4' x 10').....

318.00

### Two-Grave Lot (7' x 10')(6' x 12')(8' x 10').....

1,220.00

1,521.00

### Two-Grave Lot - Eastlawn Sections 15, 16 (6' x 12') (6' burials only)

996.00

1,243.00

### Three-Grave Lot - Woodland Section 17 (10½' x 10').....

1,822.00

2,280.00

### Four-Grave Lot - Woodland Section 15 (12' x 12') .....

4,413.00

5,512.00

### Four-Grave Lot - Woodland Sections 21, 22, 25 (10' x 14')(12' x 12')

- Eastlawn Section 19 (12' x 12').....

2,389.00

3,037.00

### Four-Grave Lot - Trinity (8' x 16').....

2,245.00

2,849.00

### Mansion of Memories - Mausoleum Crypt.....

850.00

935.00

### Baby Special.....

33.00

35.00

## ADDITIONAL SERVICES

### CRYPTS

Child.....  
Youth.....  
Standard.....  
Intermediate.....  
Oversize.....

### PLANTING

Preparing ground and planting flowers per grave  
Preparing ground and planting one shrub.....  
(Flowers and shrubs are to be provided by the  
family at their expense.)

33.00

41.00

### MISC.

Tent in cemetery.....  
Rental of tent outside cemetery.....  
Rental of dressing for use outside cemetery....  
Rental of lowering device outside cemetery.....  
Transfer Fee \$2.00 + Research \$20.00.....

102.00

148.00

118.00

118.00

22.00

**NOTE:** 35% of all lot and grave sales goes into Perpetual Care

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

JANUARY 2, 1989

	Resident and Non-Resident <u>Realty Taxpayers</u>	<u>Non-Residents</u>
<u>FOUNDATIONS AND MARKERS</u>		
<u>Foundation</u> - pouring per square inch of surface area (to be poured 6 feet deep)	.75	1.13
<u>Marker Setting Fee</u> (maximum size 24" long x 18" wide) (thickness 8" maximum - 4" minimum)	92.00	141.00
<u>Social Service Marker</u> .....	92.00	124.00
<u>Bronze Vase</u> .....	92.00	141.00
<u>D.V.A. Upright</u> .....	77.00	
<u>D.V.A. Flat</u> .....	77.00	

Preferred Singles

Only a flat marker 24" in length and 18" in width is permitted.

Single Graves in a Row

A flat granite marker, **maximum** 24" in length and 18" in width is permitted.

Urn Garden Section

Only a flat marker 12" in length and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

Two-Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2" (38"), and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

Three and Four-Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.









REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTY-SECOND Report for 1988 and respectfully recommends:

1. That the Building Commissioner BE AUTHORIZED to issue demolition permits for the demolition of the following properties:
  - (a) 640 Cochrane Road
  - (b) 1402 Upper Wellington Street
  - (c) 371 Hughson Street North
  - (d) 2646 King Street East
  - (e) 57 Napier Street
  
2. (a) That the Offer to Purchase Agreement to Sam, Peter and Morris Mercanti approved by City Council on 1988 July 26th, in adopting Item 12 of the 16th Report of the Planning and Development Committee, BE AMENDED by extending:
  - (i) the closing date to 1989 August 24th,
  - (ii) the construction commencement date to 1990 February 24th.
  - (iii) the construction completion date to 1991 February 24th.
- (b) That time is to remain of the essence of the Agreement and all other terms and conditions contained in the Agreement shall remain the same.

NOTE: The aforesaid Agreement was conditional upon the Region installing a 50' landscaped berm on the subject lands prior to the closing date. Regional Engineering have advised that due to the lack of available materials, the berm could not be completed in time. In view of the above information, the purchaser has agreed to extend the closing date until 1989 August 24th.

3. That the Offer to Purchase the lands of The Corporation of the City of Hamilton being composed of Lot 40, Plan M-227, duly executed on 1987 October 19 by the Purchasers, J. Piano, Lupo Mucci and Joe Licalotosi, and approved by City Council on 1987 November 24, Item 16 of the 22nd Report of the Planning and Development Committee, BE AMENDED as follows:

- (a) that J. Piano, Lupo Mucci and Joe Licatolosi be transferred to 763295 Ontario Limited,
- (b) that the commencement of construction date be extended from 1988 September 28, to 1989 March 28,
- (c) that the completion of construction date be extended from 1989 September 23, to 1990 March 28,
- (d) that all other terms and conditions of the Agreement shall remain the same and time is of the essence.

NOTE: A request has been received from Mr. Jack Restivo, solicitor for the owners to transfer the property from their names to 763295 Ontario Limited, being a Company which is wholly owned by J. Piano, Lupo Mucci and Joe Licatolosi, advising that this transfer will result in more favourable financing for their proposed building. As a result, an extension of the commencement and completion dates of construction is also required.

4. (a) That the following residential properties located in the Alpha Enclave (West) which were approved for acquisition by City Council on 1987 July 28, BE ACQUIRED through expropriation and that the City Solicitor BE DIRECTED to take the appropriate action required:

- (i) 377 Sherman Avenue North
- (ii) 379 Sherman Avenue North
- (iii) 401 Sherman Avenue North
- (iv) 403 Sherman Avenue North
- (v) 9 Gerrard Street
- (vi) 19 Gerrard Street
- (vii) 21 Gerrard Street
- (viii) 23 Gerrard Street
- (ix) 27 Gerrard Street
- (x) 354 Birch Avenue
- (xi) 358 Birch Avenue
- (xii) 388 Birch Avenue
- (xiii) 402 Birch Avenue
- (xiv) 211 Brant Street
- (xv) 217 Brant Street
- (xvi) 219 Brant Street
- (xvii) 221 Brant Street
- (xviii) 247 Brant Street

(b) That the City Clerk BE AUTHORIZED and DIRECTED TO:

- (i) Give Notice of the City's Application as Expropriating Authority, to all owners, registered owners and tenants (as defined in The Expropriations Act) of the above residential properties in the Alpha Enclave (West) that are located within an industrial zone, for approval to expropriate in accordance with Section 34(8) of The Planning Act.
- (ii) Advertise Notice of the City's Application in a newspaper as required by The Expropriations Act, and
- (iii) Sign and receive the said Application for Approval to Expropriate.

(c) All related costs to the acquisition and expropriation BE CHARGED to account 0408-W75266.

5. (a) That the Director of Community Development BE DIRECTED to process a Designated Property Grant in the amount of \$3 000 to Ms. Janet Snelgrove; and,

(b) That the Director of Community Development BE DIRECTED to process a Community Heritage Trust Fund Loan to Ms. Janet Snelgrove, owner of 107 George Street, in the amount of \$5 750 at six (6) percent interest, amortized over a ten (10) year period.

6. (a) That the Director of Community Development BE DIRECTED to process a Designated Property Grant in the amount of \$3 000 to Dr. Michael Pernfuss, owner of 109 George Street; and,

(b) That the Director of Community Development BE DIRECTED to process a Community Heritage Trust Fund Loan to Dr. Michael Purnfuss, owner of 109 George Street, in the amount of \$5 700 at six (6) percent interest, amortized over a ten (10) year period.

7. (a) That Official Plan Amendment No. 62 - Hamilton Beach and Confederation Park attached hereto and marked APPENDIX "A", BE ADOPTED;
- (b) That the City Solicitor BE AUTHORIZED to prepare a By-law of Adoption for the above-mentioned Amendment;
- (c) That the City Clerk BE AUTHORIZED to submit the above-mentioned Amendment to the Hamilton-Wentworth Council for final approval once the By-law of Adoption is passed by the City.
8. (a) That APPROVAL be given to an amended Zoning Application 88-17, Wallace Joseph Guitard, owner, for a modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit the severance of the subject lands into two single family lots for the property at No. 373 Brunswick Avenue, as shown on the attached map marked as APPENDIX "B", on the following basis:
- (i) That the "C" (Urban Protected Residential, etc. District) regulations as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
- (1) That notwithstanding Section 9.(4) two single family lots having a minimum lot width of 9.1 m and minimum lot area of 278.7 m<sup>2</sup> each shall be permitted,
- (2) That notwithstanding Section 9.(3)(ii) of Zoning By-law No. 6593, the existing dwelling shall maintain a southerly side yard of 0.17 m,
- (3) That notwithstanding Section 18.(3)(vi)(a) the chimney of the existing dwelling shall be maintained within 0.0 m of the southerly lot line.
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1098, and that the subject lands on Zoning District Map E-99 be notated S-1098.
- (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-99 for presentation to City Council.
- (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



- (b) That the By-law not be forwarded to City Council for passage until the applicant has received final approval of a land severance through the Regional Land Division Committee.

**NOTE:** The purpose of this by-law is to provide for a modification to the "C" (Urban Protected Residential, etc.) District provisions for the property located at No. 373 Brunswick Avenue.

The effect of the by-law is to permit the severance of the subject lands for two single family dwellings.

In addition, the by-law provides for the following variances:

- (a) To create two building lots having a width of 9.1 m each whereas the by-law requires 12 m width.
- (b) To allow the existing dwelling to maintain existing yards.

9. (A) That Zoning Application 88-72, Dan and Doreen Slavic, owners, requesting a change in zoning from "D" (Urban Protected Residential One- and Two-Family Dwellings, Townhouses, etc.) District to "H" (Community Shopping and Commercial, etc.) District for property located at No. 60 Dalhousie Avenue, **BE DENIED** for the following reasons:

- (a) The proposal represents an undesirable extension of the "H" (Community Shopping and Commercial, etc.) District into an established residential area, and as such, would establish a precedent and set the stage for future similar applications for properties adjacent to commercial development fronting along Ottawa Street North;
- (b) The subject vacant parcel of land (9.14 m (30.0 ft.) x 24.38 m (80 ft.), 222.96 m<sup>2</sup> (2,400 sq. ft.)) is considered too small to permit a viable freestanding commercial development.

- (B) That **APPROVAL** be given to an amended Zoning Application 88-72, Dan and Doreen Slavic, owners, for change in zoning from "D" (Urban Protected Residential One- and Two-Family Dwellings, Townhouses, etc.) District to "G-3" (Public Parking Lots) District for property located on No. 60 Dalhousie Avenue, as shown on the attached map marked as **APPENDIX "C"**, on the following basis:



(a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act R.S.O. 1986 to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit development of the subject lands until such time as a site plan is submitted and is approved by the Planning and Development Committee for the proposed parking lot;

Removal of the holding restriction shall be conditional upon the submission and approval by the Planning and Development Committee of a site plan for the parking lot. City Council may remove the 'H' symbol and thereby give effect to the "G-3" provisions as stipulated in this By-law by enactment of an amending By-law once the site plan is approved;

(b) That the subject lands be rezoned from "D" (Urban Protected Residential One- and Two-Family Dwellings, Townhouses, etc.) District to "G-3" - 'H' (Public Parking Lots) District;

(c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-43 for presentation to City Council;

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this by-law is to provide for a change in zoning from "D" (Urban Protected Residential One- and Two-Family Dwellings, Townhouses, etc.) District to "G-3" - 'H' (Public Parking Lots) District for property located at No. 60 Dalhousie Avenue. The amending By-law applies to the holding provisions (as denoted by the 'H' suffix) of Section 35(1) of the Planning Act to the subject lands. This provision will prohibit the development of the lands until such time as a site plan is submitted and approved by the Planning and Development Committee for the parking lot use.

Once the site plan is approved, City Council may remove the 'H' symbol by passing an amending By-law.

The effect of this by-law is to permit a parking lot to be established on the site.

10. That APPROVAL be given to Zoning Application 88-74, Mr. & Mrs. L. D'Angelo, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at the rear of No. 635 Limeridge Road East, as shown on the attached plan marked as APPENDIX "D", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend zoning By-law No. 6593 and Zoning District Map E-38A for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the rear portion of lands at No. 635 Limeridge Road East.

The effect of the By-law is to establish uniform zoning of the lands, thereby allowing for the construction of two single-family dwellings fronting onto Parkwood Crescent.

11. That APPROVAL be given to Zoning Application 88-75, Wellington Chase Inc., prospective owner, requesting changes in zoning from the "AA" (Agricultural) District to the "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) District and the "RT-20" (Townhouse - Maisonette) District to permit the development of single-family, two family and townhouse dwellings, for property located on the east side of Upper Wentworth Street and south of Balharbour Drive, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the lands shown as Block "1" be rezoned from the "AA" (Agricultural) District to the "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) District;
- (b) That the lands shown as Block "2" be rezoned from the "AA" (Agricultural) District to the "RT-20" (Townhouse - Maisonette) District;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27C and E-27D for presentation to City Council;

- (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for changes in zoning for the lands located on the east side of Upper Wentworth Street and south of Balharbour Drive, on the following basis:

- (a) Block "1" - Change from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.
- (b) - Block "2" - Change from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District.

The effect of the By-law is to permit the development of Block "1" for single-family and semi-detached dwellings, and Block "2" for townhouses.

12. That APPROVAL be given to Zoning Application 88-69, J. Paisley, In Trust, prospective owner, requesting changes in zoning from the "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to the "HH" (Restricted Community Shopping and Commercial, etc.) District, to permit retail commercial uses (e.g. hotel, car dealership, restaurant) for properties located at Nos. 1405, 1411 and 1417 Upper James Street, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "F", on the following basis:

- (a) That the amended By-law apply the holding provisions of Section 35(1) of the Planning Act R.S.O. 1983 to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until municipal sewers are installed;

Removal of the holding restriction shall be conditional upon the installation of municipal sewers serving the subject lands and passage of an amending By-law. City Council may remove the 'H' symbol, and thereby give effect to the "HH" provisions as stipulated in this By-law by enactment of an amending By-law once municipal sewers have been installed;

- (b) That the lands shown as Block "1" be rezoned from the "AA" (Agricultural) District to the "HH" - 'H' (Restricted Community Shopping and Commercial) District;
- (c) That the lands shown as Block "2" be rezoned from the "C" (Urban Protected Residential, etc.) District to the "HH" - 'H' (Restricted Community Shopping and Commercial) District;



- (d) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 14A(3)(a) a front yard of a depth of at least 24.0 m shall be provided.
  - (ii) That a minimum 3.0 m wide planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the easterly rear lot line.
  - (iii) That a minimum 4.5 m wide planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the rear 54.0 m at the southerly side lot line.
  - (iv) That a minimum 3.0 m wide landscaped area, excluding vehicular access, be provided and maintained adjacent to the Upper James Street road allowance.
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1099, and that the subject lands on Zoning District Map E-9C be notated S-1099;
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;
- (g) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Amendment No. 60 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of this By-law is to provide for changes in zoning for the properties located at Nos. 1405, 1411 and 1417 Upper James Street, on the following basis:

- (a) Block "1" - Change in zoning from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial) District, modified.
- (b) Block "2" - Change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial) District, modified.

The amending By-law applies the holding provisions (as denoted by the 'H' suffix) of Section 35(1) of the Planning Act to the subject lands. This provision will prohibit the development of the lands until municipal sewers are installed. Once the sewers are available, City Council may remove the 'H' symbol by passing an amending By-law.

The effect of the By-law is to permit development of the property for retail commercial use (e.g. hotel, car dealership, restaurant).

In addition, the By-law provides for the following modifications as special requirements:

- (a) requires a minimum 3.0 m wide landscaped area, excluding vehicular access, to be provided and maintained adjacent to the Upper James Street road allowance;
- (b) requires a minimum 24.0 m building setback from the front lot lines;
- (c) requires a minimum 3.0 m wide planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained along the easterly rear lot line;
- (d) requires a minimum 4.5 m wide planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained along the rear 54.0 m of the southerly side lot line.

13. That APPROVAL be given to Zoning Application 88-87, Robert Ernest Smith and Joyce Marilyn Smith, owners, requesting changes in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, modified, to permit the subject lands to be used for retail and warehouse commercial uses, for property located at No. 1375 Upper James Street, as shown on the attached map marked as APPENDIX "G", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act R.S.O. 1983 to the subject lands, by introducing the holding symbol "H" as a suffix to the proposed Zoning District. The holding provision will prohibit the redevelopment of the subject lands until municipal sewers are installed, but will allow the building existing at the date of passing of this by-law to be used for the "HH" (Restricted Community Shopping and Commercial) District uses;



- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial) District;
- (c) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial) District;
- (d) That the "HH" - 'H' (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands, be subject to the special requirement that:
  - (i) the uses as set out under Section 14A(1) shall be permitted only within the building existing at the date of passing this By-law.
  - (ii) upon installation of all such municipal sewers as the City deems necessary, the 'H' symbol shall be removed by amendment to this By-law and the development of the lands comprised in Blocks 1 and 2 may proceed in accordance with the "HH" District provisions.
- (e) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands be subject to the special requirement that:
  - (i) notwithstanding Section 14A(1)(C) and Section 14(1)(xvii), the storage of goods to be manufactured, assembled or sold may occupy a maximum of 50% of the floor area.
  - (ii) notwithstanding Section 14A(3)(a), a front yard of a depth of at least 24.0 m shall be required.
  - (iii) a minimum 3.0 m wide planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the easterly rear property line.
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1100, and that the subject lands on Zoning District Map E-9C be notated S-1100;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;

- (h) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Amendment No. 60 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of this By-law is to provide for changes in zoning for property located at No. 1375 Upper James Street on the following basis:

- (a) Block "1" - Change from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial) District, modified;
- (b) Block "2" - Change from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial) District, modified;

The amending by-law applies the holding provisions (as denoted by the 'H' suffix) of Section 35(1) of the Planning Act to the subject lands. This provision will prohibit the redevelopment of the lands until municipal sewers are installed, but will allow the building existing at the date of passing of this by-law to be used for the "HH" (Restricted Community Shopping and Commercial) District uses. Once the sewers are available, City Council may remove the 'H' symbol by passing an amending By-law.

The effect of this by-law is to permit the use of the subject lands for retail and warehouse commercial uses.

In addition, the by-law provides for the following variances as special requirements:

- (a) under the "HH" - 'H' District provisions, to permit the "HH" (Restricted Community Shopping and Commercial) District uses within the building existing at the date of passing of this by-law;
- (b) under the "HH" District provisions, to permit the storage of goods to occupy a maximum of 50% of the floor area which may be used for storage purposes whereas 25% is currently permitted;
- (c) to require a minimum 3.0 m wide landscape strip and visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained along the easterly rear lot line;
- (d) to require a minimum 24.0 m building setback from the front lot line for any new buildings or structures.

14. (A) That Zoning Application 88-58, Glanbrook Stairs and Woodworking Ltd., owner, requesting a change in zoning from "M-13" (Prestige Industrial) District to "M-14" (Prestige Industrial) District to permit the construction of an industrial building for the manufacturing of wood products, for the property located at No. 101 Dartnall Road, as shown on the attached map marked as APPENDIX "H", BE DENIED as submitted for the following reason:

(a) The subject lands are in close proximity to an open space corridor. Lands abutting this corridor are zoned by "M-13"; which limits the types of industrial uses permitted so as to minimize any negative impacts on the open space areas. The uses were agreed upon by both City Council and Conservation Authority. As such, an "M-14" district is an inappropriate district since it allows for a wide variety of industrial uses, some of which would not be as compatible with the open space lands.

(B) That APPROVAL be given to an amended Zoning Application requesting a modification to the "M-13" (Prestige Industrial) District provisions, for the property located at No. 101 Dartnall Road as shown on the attached map marked as APPENDIX "H", on the following basis:

(a) That the "M-13" District regulations as contained in Section 17 Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 17E(1)(d) the following additional industrial uses shall be permitted:

<u>S. I. C. Identification #</u>		<u>Industrial Uses</u>
1.	2542	Wooden kitchen cabinet and bathroom vanity industry.
2.	2543	Wooden door and window industry.
3.	2549	Other millwork industries.

NOTE: The purpose of this By-law is to provide for a modification to the "M-13" (Prestige Industrial) District provisions for the property located at No. 101 Dartnall Road.

The effect of the By-law is to permit the construction of an industrial building for the manufacturing of wood products (i.e. stairs, doors, trim, cabinets and general millwork).



15. (a) That APPROVAL be given to Zoning Application 87-121, Ortega Properties Ltd., prospective owner, requesting a change in zoning from the "L-mr-2" (Planned Development - Multiple Residential) District to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, for property located at No. 181 Victoria Avenue South, as shown on the attached map marked as APPENDIX "I", on the following basis:
- (i) That the subject lands be rezoned from the "L-mr-2" (Planned Development - Multiple Residential) District to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
  - (ii) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
    - (1) That notwithstanding Section 11.(1)(iii) a multiple dwelling having a maximum of only 46 dwelling units shall be permitted.
    - (2) That notwithstanding Section 11.(3)(i)(b) a minimum front yard depth of at least 6.5 m shall be provided along Victoria Avenue.
    - (3) That notwithstanding Section 11.(3)(ii)(b) no residential building shall be located less than 15.0 m from the southerly side lot line.
    - (4) That a berm or combination berm and noise attenuation fence, having a total height of not less than 4.0 m above the top of rail shall be erected and maintained on the property parallel to the CP Rail right-of-way. The berm portion shall have a minimum height of 2.0 m above top of rail.
    - (5) That a 1.8 m high chain link fence shall be erected and maintained along the boundary of the southerly side lot line.
    - (6) That no vehicular ingress or egress shall be permitted from Victoria Avenue South.

- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1102, and that the subject lands on Zoning District Map E-14 be notated S-1102;
  - (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-14 for presentation to City Council.
  - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the approved Site Plan be registered on title.

NOTE: The purpose of the By-law is to provide for a change in zoning from the "L-mr-2" (Planned Development - Multiple Residential) District to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for property located at No. 181 Victoria Avenue South.

The effect of the By-law is to permit the construction of an 8 storey - 46 unit apartment building.

In addition, the By-law provides for the following variances as special requirements:

- (a) That a multiple dwelling having a maximum of only 46 dwelling units shall be permitted.
- (b) That a minimum front yard depth of 6.5 m shall be provided along Victoria Avenue South, whereas 12.0 m is required.
- (c) That no residential building shall be located less than 15.0 m from the southerly side lot line.
- (d) That a berm or combination berm and noise attenuation fence, having a total height of not less than 4.0 m above the top of rail be erected and maintained on the property parallel to the CP Rail right-of-way. The berm portion shall have a minimum height of 2.0 m above top of rail.
- (e) That a 1.8 m high chain link fence shall be erected and maintained along the boundary of the southerly side lot line.
- (f) To prohibit vehicular ingress and egress from Victoria Avenue South.



16. That leave be granted to introduce the following bills:

- (a) Bill D-125 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 125 Centennial Parkway North.
- (b) Bill D-126 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 85 Robinson Street.
- (c) Bill D-127 A By-law to adopt Official Plan Amendment No. 67 respecting lands located at Municipal Nos. 872, 878, 882, and 890 Upper Wentworth Street within the Bruleville Neighbourhood.
- (d) Bill D-128 A By-law to adopt Official Plan Amendment No. 68 respecting lands located at Municipal No. 2783 King Street East.
- (e) Bill D-129 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 224 Stone Church Road West.
- (f) Bill D-130 A By-law to amend Zoning By-law No. 6593 respecting lands located at the rear of Municipal No. 832 West 5th Street.
- (g) Bill D-131 A By-law to amend Zoning By-law No. 6593 respecting lands located between Upper Gage Avenue and Rita Avenue, in the area south of Stone Church Road East.
- (h) Bill D-132 A By-law to amend Zoning By-law No. 6593 respecting lands located on the north side of Stone Church Road East between Upper Sherman Avenue and Upper Wentworth Street.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1988 October 26

## AMENDMENT NO. 62

### TO THE

### CITY OF HAMILTON OFFICIAL PLAN

The following text, together with attached Schedules "A" and "B", attached hereto, constitute Official Plan Amendment No. 62.

#### PURPOSE

To incorporate changes to Schedules, revise and add a new Special Policy Area and related policies.

#### LOCATION

This Amendment affects the Hamilton Beach and Confederation Park located between Lake Ontario, the City of Stoney Creek, Gray's Road, the Queen Elizabeth Way and the Burlington Canal.

#### BASIS

This Amendment is intended to provide a basis for:

- the implementation of the Hamilton Beach Concept Plan; and,
- a change to Special Policy Area 10 by deleting those policies which have become redundant as a result of the completion of the Hamilton Beach Concept Plan and Confederation Park Master Plan.

#### ACTUAL CHANGES

1. Schedule "A" - Land Use Concept be revised by redesignating a portion of the Hamilton Beach area from "Open Space" to "Residential", as shown on the attached Schedule "A".
2. Schedule "B" - Other Special Policy Areas be revised by deleting a portion of the subject lands from Special Policy Area 10a, as shown on the attached Schedule "B" of this Amendment.
3. Revise Policy A.2.9.3.8. by deleting it in its entirety and replacing it with a new policy which reads as follows:

"Within SPECIAL POLICY AREAS 10 AND 10a, identified on Schedule "B", the following policies will apply:

- i) Within SPECIAL POLICY AREA 10, Council will ensure that appropriate shoreline protection measures as may be prescribed by the Ministries of Natural Resources and the Environment will be taken to mitigate flooding, erosion and pollution.

- ii) In accordance with the Hamilton Beach Concept Plan, SPECIAL POLICY AREA 10a applies to the lands located on both sides of Beach Boulevard between Kirk Road and Arden Avenue. Townhouses, low rise apartments, and mixed commercial/residential uses will be encouraged to locate within this area."

#### IMPLEMENTATION

The provisions of Section D - Implementation, as amended, will apply to the implementation of this Amendment.

This is Schedule 1 to By-law No. 88-\_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 1988.

THE CORPORATION OF  
THE CITY OF HAMILTON

---

City Clerk

---

Mayor

CL-M:CS



# Schedule A to draft amendment to the official plan for the City of Hamilton

## LAND USE CONCEPT

### Legend

	Residential
	Commercial
	Industrial
	Open Space
	Open Water
	Major Institutional
	Utilities
	Central Policy Area
	Special Policy Area: Windermere Basin



Pier Numbers



Sub Regional Centre

Note: this plan is an excerpt from Schedule A to the Official Plan as approved by the Minister of Municipal Affairs and Housing.  
The Schedule for Council adoption will be the complete schedule.

Change from "Open Space" to "Residential"

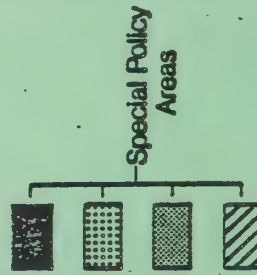


# Schedule B to draft amendment to the official plan for the City of Hamilton

Revise Special Policy  
Area 10

Add Special Policy  
Area 10a

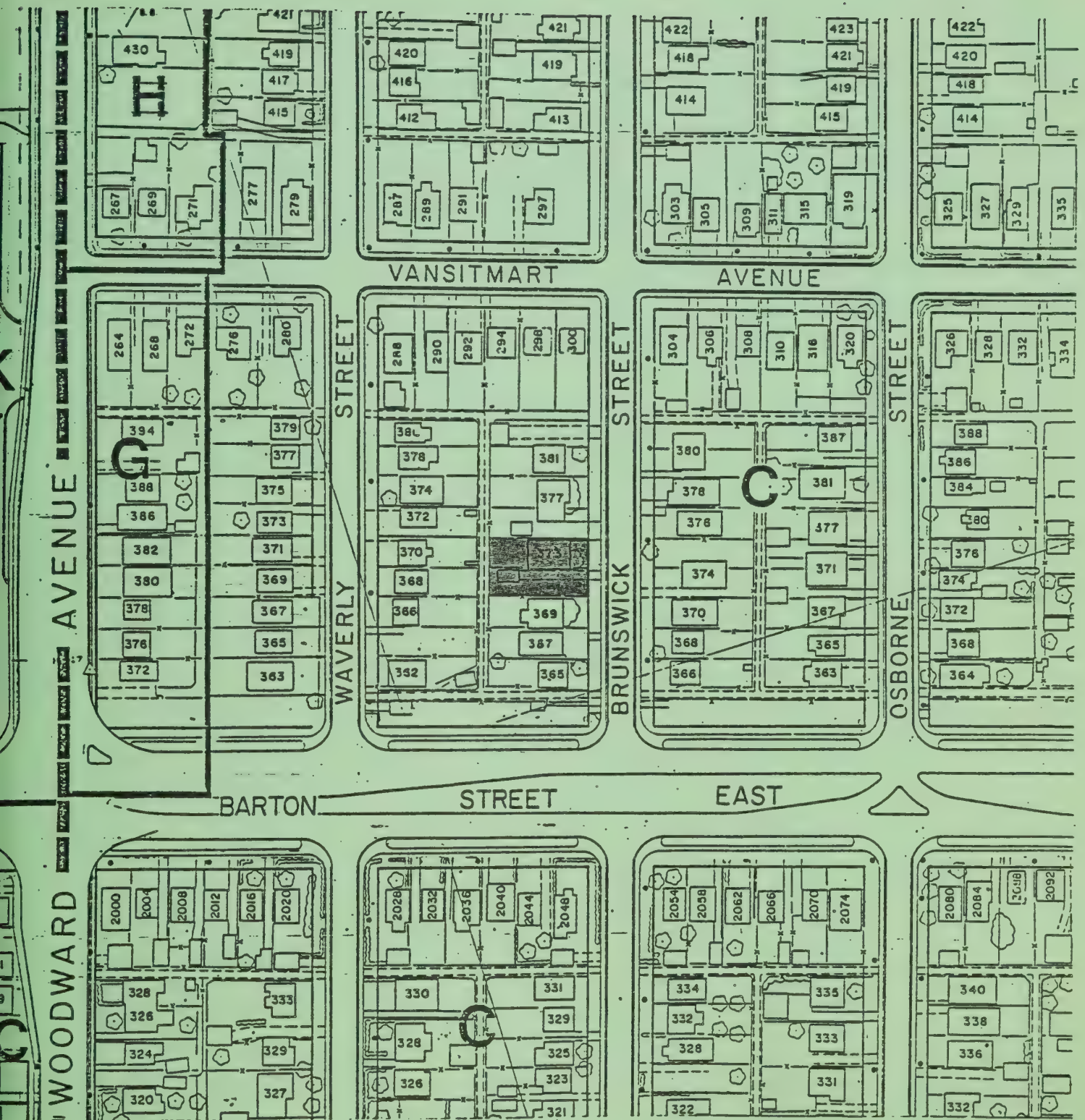
legend



Note: this plan is an  
excerpt from Schedule B  
to the Official Plan as  
approved by the Minister  
of Municipal Affairs and  
Housing.  
The Schedule for Council  
adoption will be the  
complete schedule.



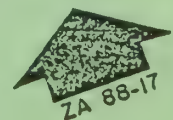




# LEGEND

 SITE OF APPLICATION

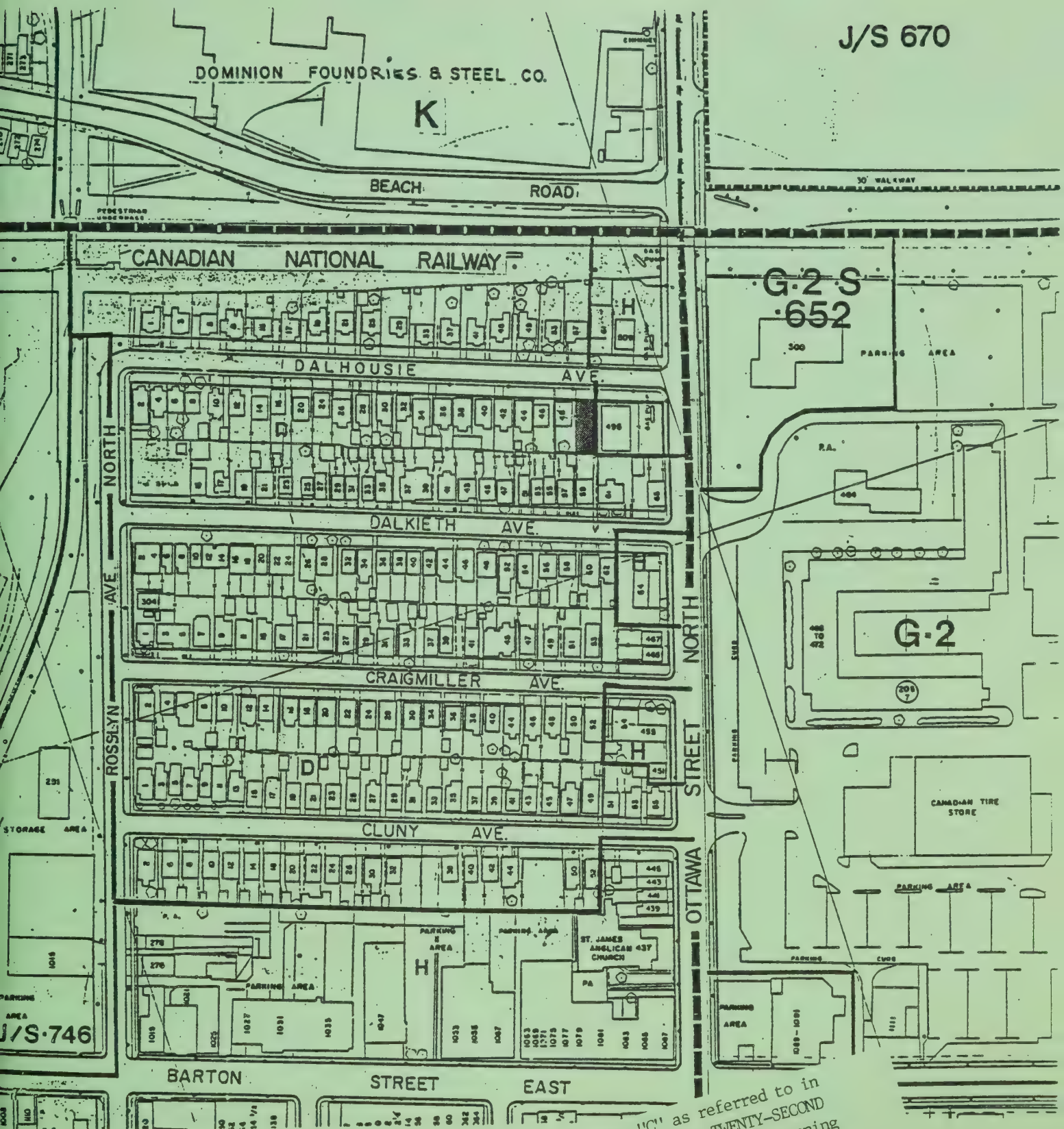
Appendix "B" as referred  
to in Section 8 of the  
TWENTY-SECOND Report  
for 1988 of the  
Planning & Development Committee.







APPEND



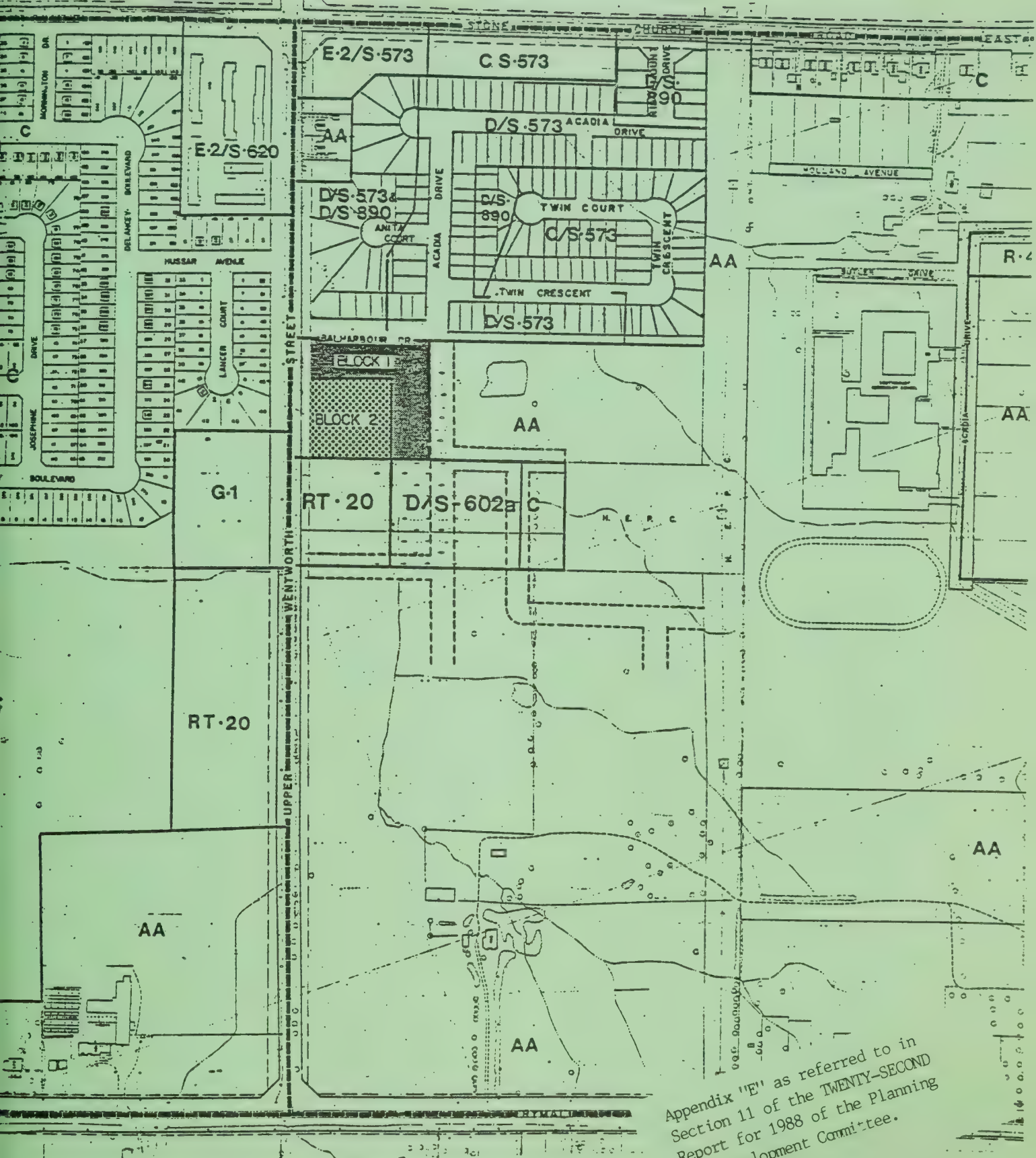












### Legend

Proposed change in zoning from "AA"(Agricultural) District to:



"R-2"(Urban Protected Residential - one and two family dwellings, etc.) District

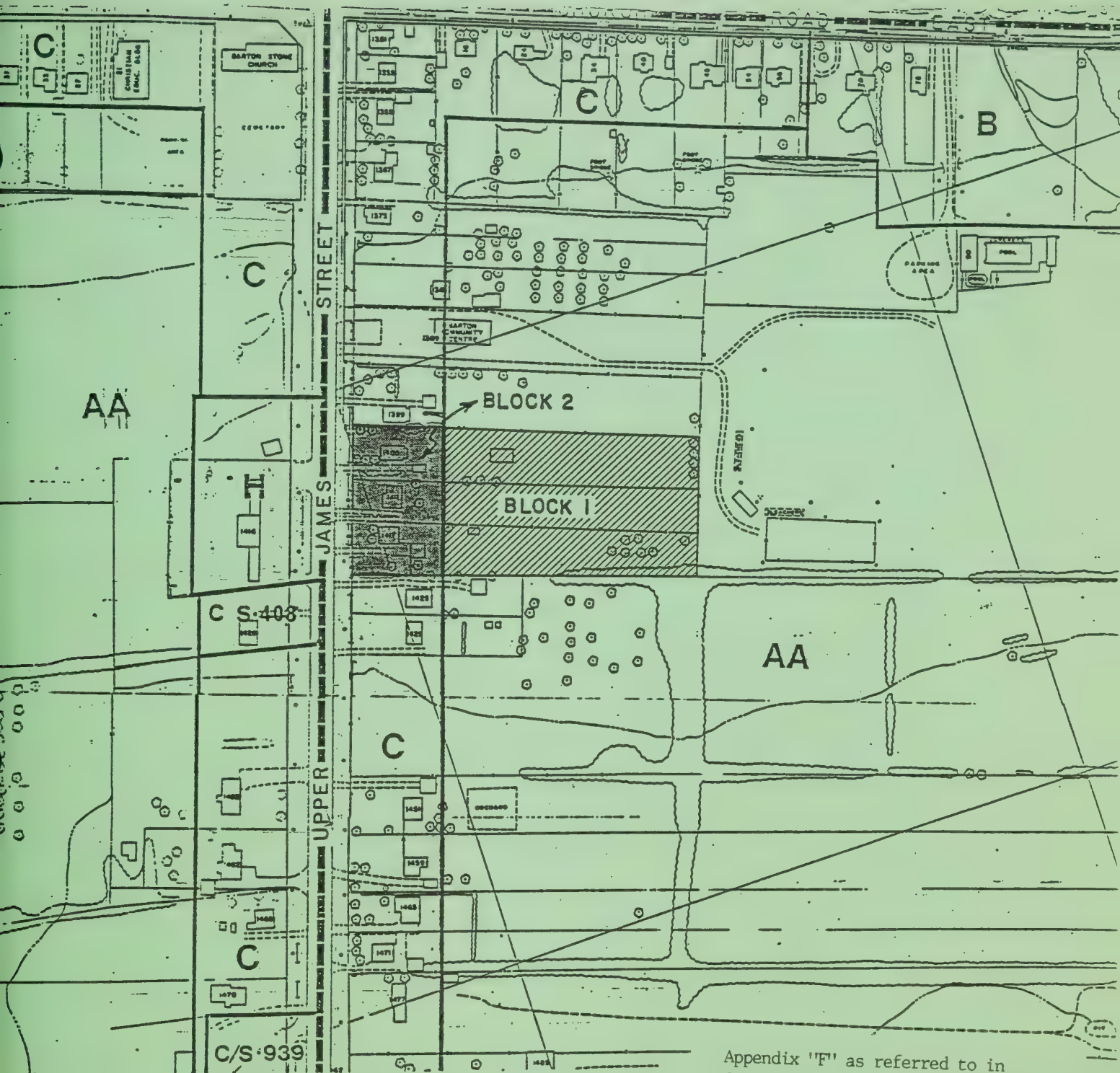


"RT-20"(Townhouse - Maisonette) District

Appendix "E" as referred to in  
Section 11 of the TWENTY-SECOND  
Report for 1988 of the Planning  
and Development Committee.

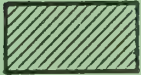
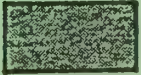




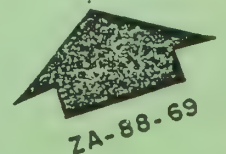


### LEGEND

#### PROPOSED CHANGE IN ZONING FROM:

- BLOCK 1**  "AA" (AGRICULTURAL) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.
- BLOCK 2**  "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.

Appendix "F" as referred to in Section 12 of the TWENTY-SECOND Report for 1988 of the Planning and Development Committee.

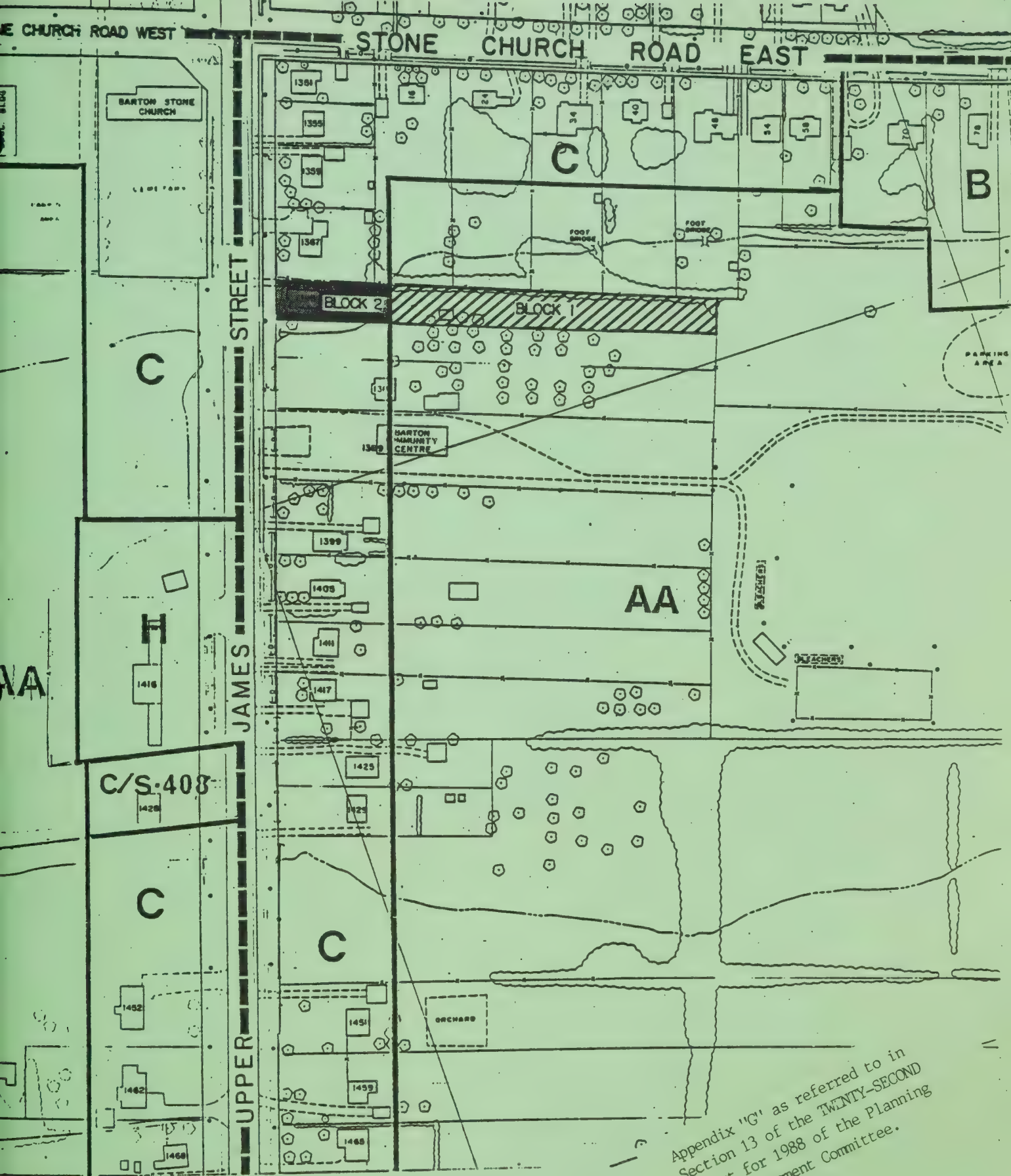


APPENDIX A 11









### Legend

Proposed change in zoning from:

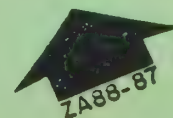


"AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District

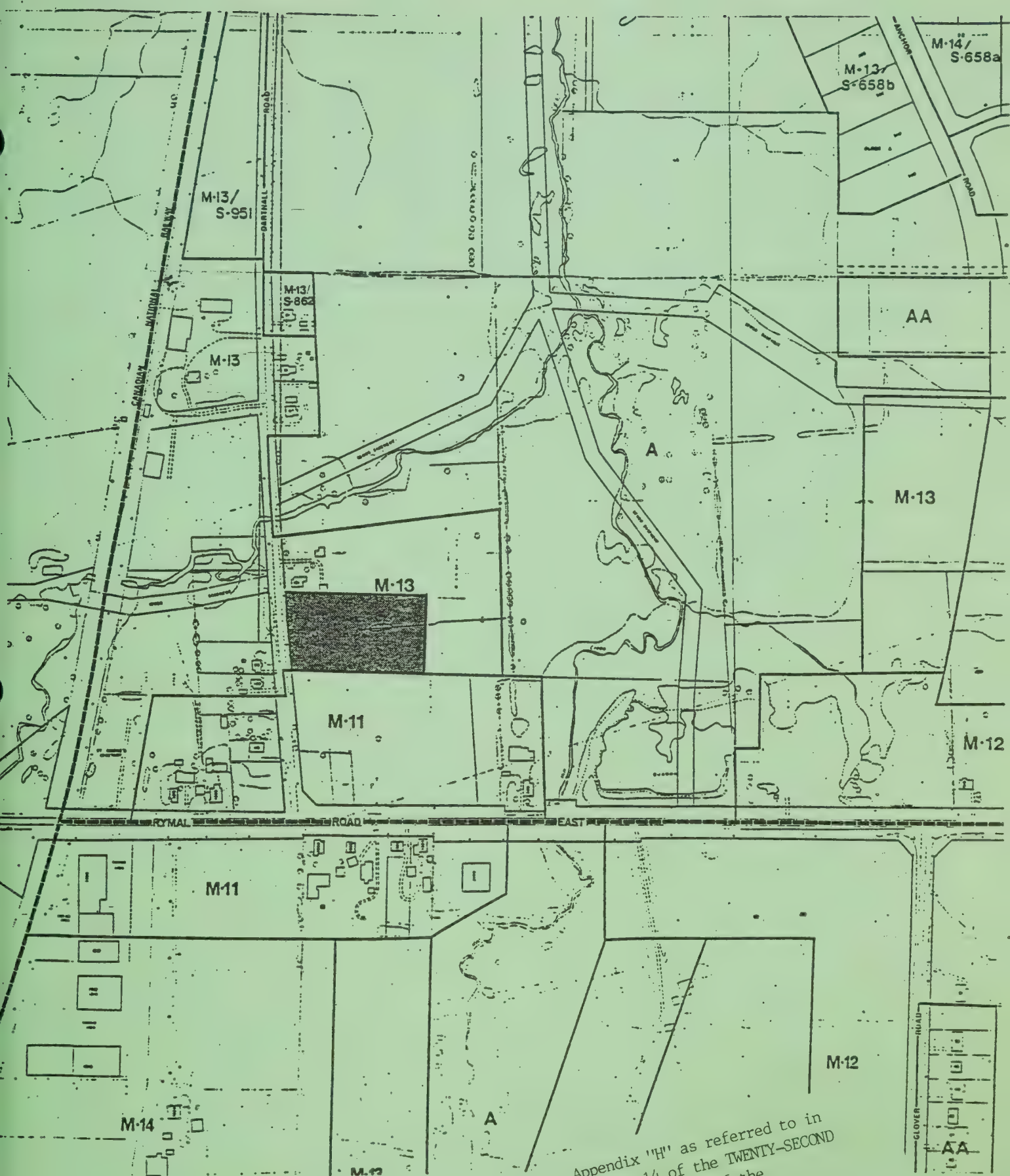


"C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District

Appendix "G" as referred to in  
Section 13 of the TWENTY-SECOND  
Report for 1988 of the Planning  
and Development Committee.







# LEGEND



SITE OF APPLICATION

D-27

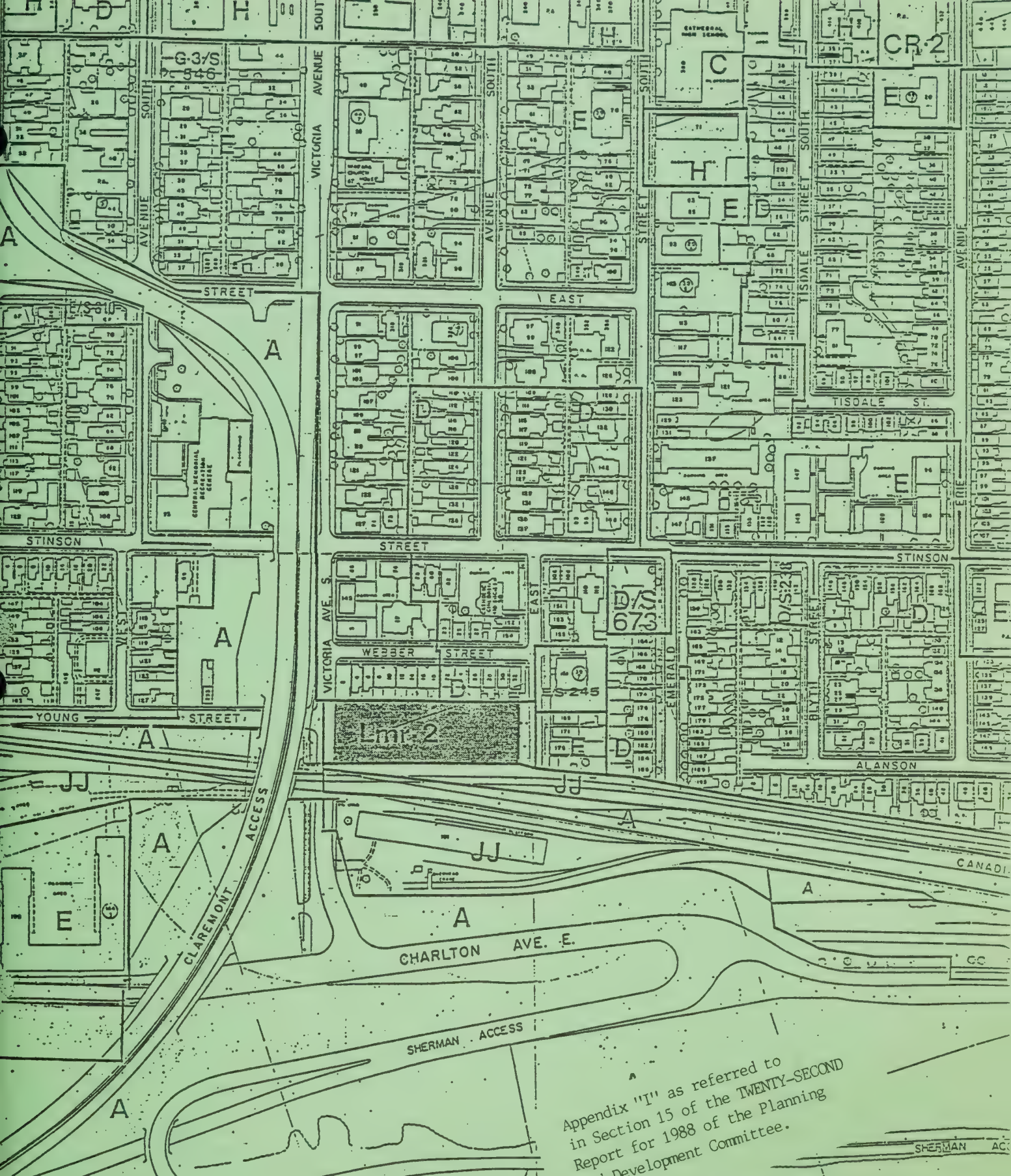
Appendix "H" as referred to in  
Section 14 of the TWENTY-SECOND  
Report for 1988 of the  
Planning and Development  
Committee.



APPENDIX A







# LEGEND



SITE OF THE APPLICATION

Appendix "I" as referred to  
in Section 15 of the TWENTY-SECOND  
Report for 1988 of the Planning  
and Development Committee.



ZA 87-121









## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **TWELFTH** Report for 1988 and respectfully recommends:

1. (a) That the general licence fees be increased by 4.5 percent for 1989.  
(b) That the City Solicitor be authorized and directed to prepare a by-law for submission to City Council to amend the following By-laws respecting various licence fees:
  - (i) By-law No. 76-32 (Body Rub Parlours)
  - (ii) By-law No. 79-144 (Adult Entertainment Parlours)
  - (iii) By-law No. 79-323 (Trades, Callings, Occupations)
  - (iv) By-law No. 80-259 (Second Level Lodging Houses)
2. That approval be given to the request of the Latvian Society of Hamilton to fly the Latvian Flag at City Hall from 1988 November 12 to November 19 to mark the occasion of Latvian Independence Day on November 19.
3. (a) That approval be given to the condensed version of the text of the Baltic Memorial Plaque to be erected in City Hall attached hereto as **APPENDIX "A"**.  
(b) That **APPENDIX "B"** as referred to in Section 4 (b) of the **TENTH** Report of the Legislation Committee containing the original text adopted by City Council 1988 September 27, be deleted.  
  
**Note:** Consistent with the City's policy for the erection of plaques in City Hall, the Baltic Memorial Committee found it necessary to condense the text due to the limitation on the size of the plaque.
4. That approval be given for the use of City Council Chambers by the Hamilton Sports Council for the purpose of conducting meetings on the following dates commencing at 7:30 o'clock p.m.:
  - Thursday, 1988 November 24
  - Thursday, 1989 January 26
  - Thursday, 1989 March 23
  - Thursday, 1989 May 25

Note: The Sports Council operates in conjunction with the Department Culture and Recreation to support the development of sports in the City of Hamilton.

5. That approval be given for the use of City Council Chambers for the annual Baseball/Softball Council's general meeting commencing at 7:30 p.m. on Wednesday, 1988 November 16.

Note: The Hamilton Baseball/Softball Council operates in conjunction with the Department of Culture and Recreation to support the development of bat and ball sports.

6. (a) Approval of the action of the Legislation Committee in purchasing an ad for the City of Hamilton on 1988 November 12 in the Hamilton Spectator Supplement supporting St. Joseph's Hospital in their continuing search for excellence in the field of health care and their efforts to raise the money needed for their equipment campaign.

(b) That the cost of the ad in the amount of \$1 680 be charged to City Clerk's Advertising Account No. 0322-0112.

7. Approval of the action of the Legislation Committee in authorizing TV-Hamilton-Cable 14 to use the Council Chambers on the following dates from 5:00 o'clock p.m. to approximately 10:30 o'clock p.m. for the purpose of holding and producing pre-election debates for each of the eight City wards, Mayor and Regional Chairman:

Friday,	1988 November 04
Saturday	1988 November 05
Sunday	1988 November 06
Monday	1988 November 07
Thursday	1988 November 10
Saturday	1988 November 12

8. That the following resolution of G A S P (Greensville Against Serious Pollutions), be endorsed.

"That legislation be passed (whether Federally, Provincially or by a direct amendment to the Pits and Quarries Control Act to provide that, in the rehabilitation of any Ontario or Canada based quarry, it is illegal for rehabilitation to include any acceptance of wastes as land fill. (This includes all industrial, commercial and residential wastes, whether classed as non hazardous or hazardous). In rehabilitation of a quarry site, it will be sufficient to contour the edges of the site with a safe, sloping terrain. Natural overburden from the area may be used as the primary fill."



9. That leave be granted to introduce the following Bills:

- |           |   |
|-----------|---|
| Bill E-15 | By-law to Amend Procedural By-law No. 82-203<br>Respecting the Executive Committee. |
| Bill E-16 | By-law to Amend Market By-law No. 81-180<br>Respecting Fees.                        |
| Bill E-17 | By-law to Amend By-law 85-148 Respecting<br>Dog Licence Fees.                       |
| Bill E-18 | By-law to Amend Various Licencing By-laws<br>Respecting Fees.                       |

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

John Thompson, Secretary  
1988 October 31

mjlw



BALTIC MEMORIAL PLAQUE

THIS PLAQUE IS ERECTED IN MEMORY OF OVER ONE MILLION BALTIC CITIZENS DEPORTED TO SLAVE CAMPS DURING THE SOVIET OCCUPATION FOLLOWING THE STALIN-HITLER PACT OF 1939.

THE VICTIMS OF MASS DEPORTATIONS - MEN WOMEN AND CHILDREN DIED UNDER MOST INHUMAN CONDITIONS. THE DELIBERATE GENOCIDE, DESTRUCTION OF BALTIC CULTURES AND FORCED COLONIZATION OF THE COUNTRIES IS IN DIRECT VIOLATION OF THE UNITED NATIONS HUMAN RIGHTS CHARTER AND THE INTERNATIONAL ANTI-GENOCIDE COVENANT.

IT SHOULD NOT AND CANNOT BE TOLERATED BY THE DEMOCRATIC WORLD!

ESTONIAN, LATVIAN, LITHUANIAN SOCIETIES IN HAMILTON  
COMMEMORATING THE 70TH ANNIVERSARY OF THEIR INDEPENDENCE

(1918 - 1988)

APPENDIX "A" as referred to  
in Section 3 (a) of the  
TWELFTH Report of the  
Legislation Committee









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its SIXTEENTH Report for 1988 and respectfully recommends:

1. That a purchase order to issued to Moore Business Forms, Burlington, in the amount of \$14 758.33 for the supply and delivery of Realty Tax Forms in accordance with Vendor's quotation.

**Note:** Only quotation received. Funds provided in Treasury - Taxation Supplies Account No. 0323-1021.

As these forms are being ordered in conjunction with various other forms and are required as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

2. That a purchase order be issued to Vette Mechanical Contracting Ltd., Binbrook, in the amount of \$58 564.39 for Heating System Renovations at two Fire Stations (Mohawk Road East and Upper Wentworth Street and Melvin Avenue At Woodland), in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

**Note:** Only quotation received. Funds provided in the Reserve for Capital Projects, Account No. 0280-27.

- 3 (a) That the City of Hamilton renew the Master Lease with the Regional Municipality of Hamilton-Wentworth for a period of three years commencing 1988 December 01 and terminating 1991 November 30.
- (b) That the City of Hamilton renew the lease with the Hamilton-Wentworth Regional Health Unit at 74 Hughson Street South, save and except the first floor, Composite Building - Kenilworth Avenue North and 777 Upper Wentworth Street for a period of three years commencing 1988 December 01 and terminating 1991 November 30.
- (c) That the Mayor and City Clerk execute a lease document satisfactory to the City Solicitor.

Note: The Rent Schedules for the aforementioned renewals are calculated as follows:

### RENT COMPUTATIONS

#### CITY HALL

##### PLANNING DEPARTMENT

##### TOTAL

(a) - December 1, 1988 to November 30, 1991	
7th Floor - West Wing - 6 171 sq. ft.	
6 171 sq. ft. @ \$13.00 per sq. ft. per annum	\$ 80 223.00
	per annum

##### ENGINEERING DEPARTMENT

(a) - December 1, 1988 to November 30, 1991	
7th Floor - East Wing - 2 858 sq. ft.	
2 858 sq. ft. @ \$13.00 per sq. ft. per annum	\$ 37 154.00
	per annum
(b) - 6th Floor - Full Floor - 9 029 sq.ft.	
9 029 sq. ft. @ \$13.00 per sq. ft. per annum	\$117 377.00
	per annum
(c) - 5th Floor - East Wing - 2 933 sq. ft.	
2 933 sq. ft. @ \$13.00 per sq. ft. per annum	\$ 38 129.00
	per annum
(d) - Basement Vault - Jointly by City and Region - 800 sq.ft.	
800 sq. ft. @ \$5.00 per sq. ft. per annum	\$ 4 000.00
	<u>per annum</u>
Total Engineering Department . . . . .	<u>\$196 660.00</u>
Total Rental Space in City Hall . . . . .	<u>\$276 883.00</u>

#### CENTRAL SERVICES BUILDING

##### REGIONAL WATERWORKS MAINTENANCE

##### TOTAL

(a) - December 1, 1988 to November 30, 1991	
Outside Yard Space - 9 625 sq. ft.	
9 625 sq. ft. @ \$.30 per sq. ft. per annum	\$ 2 887.50
	per annum
(b) - Main Workshop Area - 11 760 sq. ft.	
11 760 sq. ft. @ \$3.50 per sq. ft. per annum	\$ 41 160.00
	per annum
(c) - Mezzanine Storage Area - 1 160 sq. ft.	
1 160 sq. ft. @ \$3.50 per sq. ft. per annum	\$ 4 060.00
	per annum

(d) - Offices, Lunch Room and Washroom Area - 2 205 sq. ft. 2 205 sq. ft. @ \$3.50 per sq. ft. per annum	\$ 7 717.50 per annum
(e) - Space for overnight parking of 20 vehicles indoors 4 500 sq. ft. 4 500 sq. ft. @ \$2.50 per sq. ft. per annum	\$ 11 250.00 <u>per annum</u>

Total for Waterworks Maintenance..... \$67 075.00

KENILWORTH AVENUE NORTH COMPOSITE BUILDING

REGIONAL POLICE DEPARTMENT

TOTAL

(a) - December 1, 1988 to November 30, 1991 First Floor - 4 393 sq. ft. 4 393 sq. ft. @ \$7.00 per sq. ft. per annum	\$ 30 751.00 per annum
(b) - Second Floor - 3 062 sq. ft. 3 062 sq. ft. @ \$6.50 per sq. ft. per annum	\$ 19 903.00 per annum
(c) - Basement - 1 125 sq. ft. 1 125 sq. ft. @ \$2.00 per sq. ft. per annum	\$ 2 250.00 per annum
(d) - Garages - 1 239 sq. ft. 1 239 sq. ft. @ \$1.50 per sq. ft. per annum	\$ 1 858.50 <u>per annum</u>

Total Regional Police Department..... \$ 54 762.50

CITY LEASE TO HAMILTON-WENTWORTH REGIONAL HEALTH UNIT

74 Hughson Street South TOTAL  
15 Hunter Street East  
Kenilworth Avenue North Composite Building  
Upper Wentworth Composite Building - 777 Upper Wentworth Street

(a) - December 1, 1988 to November 30, 1991 <u>Kenilworth Avenue North - First Floor</u> 1 484 sq. ft. @ \$6.50 per sq. ft. per annum	\$ 9 646.00 per annum
---	--------------------------

\*Note: Rate reflects cost of parking  
Health Department is responsible to reimburse  
Hamilton Parking Authority for parking

(b) - <u>74 Hughson Street South</u> (15 Hunter Street East) Second Floor & Third Floor 13 622 sq. ft. @ \$9.50 per sq. ft. per annum	\$129 409.00 per annum
--	---------------------------



(c) - <u>Upper Wentworth Composite Building</u>	
6 200 sq. ft. @ \$8.00 per sq. ft. per annum	\$ 49 600.00
	<u>per annum</u>

Total for Regional Health.....\$188 655.00

Note: This amount does not include First Floor of 74 Hughson St. South.

It is understood and agreed that the Regional Engineering Department, Waterworks Division, will be vacating the Central Services Building in the spring of 1989. The Master Lease agreement will be amended accordingly.

The lease will also be revised by adding the following:

Upon one year's notice, the City of Hamilton may terminate the lease with the Region for that portion of the lease as it pertains to 74 Hughson Street South (Health Department).

Included in the rent at City Hall is the amount of \$10,000.00 which represents the charge for 20 parking spaces allocated to the Health Department. In consideration of the Parking Authority's recommendation that the former Health Building at 74 Hughson Street South may be required for future parking purposes, the Master Lease with the Region will have a one year termination clause added to the lease.

In addition to rent paid by the Region and the Board of Health, they are both responsible for their proportionate share of the increase in operating costs over the Base Year of 1987.

All amounts payable shall be deemed to be additional rent.

The chart attached hereto as APPENDIX "A" indicates the rate increases for all the Region's space.

4. (a) That the City Solicitor be directed to prepare a Quit Claim Deed in favour of Mrs. Barbara Jean Domes, 186 Canada Street releasing all of the City's interest in the parcel of land shown as Part 2 on Plan 62R-7728. The subject parcel measures 4.8 feet by 57 feet, more or less, and is located at the rear of 186 Canada Street.
- (b) That the Mayor and City Clerk be authorized to execute the necessary documentation.



5. That the following Settlement of Claims, be approved:

- (a) Harold Kerwin et al vs. The City of Hamilton vs. McMurdie and Morneau  
Automobile Accident, 1985 January 10

That the City accept the sum of \$17 675 in settlement of its claim on behalf of itself and the two City employees for damages, interest and costs.

- (b) The City of Hamilton and Caprice, Frances vs. Rohozneau  
Automobile Accident, 1983 April 13

That the City accept an all inclusive settlement of \$60 000 in full settlement of its subrogated Workers' Compensation Claim.

6. That the summary report containing a listing of approved Settlement of Claims attached hereto as APPENDIX "B", be received.

Respectfully Submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1988 November 01

mjw



SUMMARY CHART OF RATE INCREASES

	<u>1989</u>	<u>% INCREASE OVER PREVIOUS YEAR</u>
CITY HALL 1988 (\$222 873.00)	\$276 883.00	24.23%
REGIONAL WATER WORKS 1988 (\$61 473.75)	\$ 67 075.00	9.11%
REGIONAL POLICE DEPARTMENT 1988 (\$48 433.35)	\$ 54 762.50	13.06%
HEALTH DEPARTMENT 1988 Without First Floor for Comparison Purposes (\$151 303.50)	\$188 655.00	24.68%
TOTAL	\$587 375.50	21.33%

APPENDIX "A" as referred to in  
Section 3 of the SIXTEENTH  
Report of the Finance Committee



FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Edward Kobylt	City of Hamilton	Diving Accident at Rosedale Pool 1986 July 07	\$6 754.44
Sylvania Hazell	City of Hamilton	Trip and Fall 1987 October 19	\$ 210.00
Irma Cengarle	City of Hamilton	Trip and Fall 1987 December 18	\$1 700.00
William Wyatt	City of Hamilton	Motor Vehicle Accident 1988 March 23	\$2 300.00

APPENDIX "B" as referred to  
in Section 6 of the  
SIXTEENTH Report of the  
Finance Committee





CA4 ON HBL A05  
A31

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

## MEETING OF THE COUNCIL

### OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1988 November 29  
7:30 o'clock p.m.  
Council Chambers, City Hall

JT:mjw

## A G E N D A

### 1. Opening Prayer

Father Fuzy  
St. Cyril and Methodius Slovak R.C. Church  
204 Park Road North

### 2. Minutes

1988 November 08

### 3. Correspondence

### 4. Reports of the Standing Committees - attached

- (a) Executive Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (f) Personnel Committee





5. Notice of Motion for Next Meeting
6. First Reading of the Bills
7. Second Reading of the Bills - Committee of the Whole
8. Third Reading of the Bills
9. Question Period
10. Adjournment





M I N U T E S



MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, NOVEMBER 8, 1988  
7:00 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,  
Copps, Christopherson, Agostino, Wheeler, Smith, Cowell,  
Gallagher, Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

Mayor Morrow led the Council in a special prayer for former Alderman Dave Lawrence who passed away on November 1, 1988.

His Worship Mayor Robert M. Morrow read the following proclamations:

- (i) "Purchasing Management Week" - November 14-18, 1988.
- (ii) "Recycling Week in Ontario" - November 14-20, 1988.

The following presentation was made:

- (i) Certificates of Recognition to Members of the Mayor's Race Relations Committee.

The minutes of the meeting of August 25, 1988 (Special Meeting of City Council with The Hamilton Harbour Commissioners), and the meeting of October 25, 1988, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Paletta International Corporation, 21 Brockley Drive, Stoney Creek, Ontario, for a change in zoning, property located at 1605 Upper Sherman Avenue, dated October 26, 1988.
2. Application from Rymal Gardens Inc., 158 Hester Street, Hamilton, Ontario, for a change in zoning, property located at 408 Rymal Road East, dated October 26, 1988.
3. Application from John Bear Pontiac Buick Ltd., 1200 Upper James Street, Hamilton, Ontario, for a change in zoning, property located at 1200 Upper James Street, dated November 7, 1988.
4. Application from Russell and Carol Prosie, 1360 Rymal Road East, Hamilton, Ontario, for a change in zoning, property located at 83 Glover Road, dated November 7, 1988.

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Cowell in the chair.

\* \* \* \* \*

(A) EXECUTIVE COMMITTEE - TWENTIETH REPORT.

Recorded vote on Section 9.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Agostino. - 1. CARRIED.

\* \* \* \* \*

Recorded vote on Section 10.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Aldermen Kiss, Copps. - 2. CARRIED.

\* \* \* \* \*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTEENTH REPORT.

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Section 3 be amended by deleting the word "acquire" before the word "lands" in the first line, and substituting in lieu thereof the words "negotiate the acquisition of". - CARRIED.

\* \* \* \* \*

Recorded vote on Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Aldermen Copps. - 1. CARRIED.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWENTY-SECOND REPORT.

Recorded vote on Section 4.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 11.

NAYS: Aldermen Kiss, Valeriano, Copps. - 3. CARRIED.

\* \* \* \* \*

(E) LEGISLATION COMMITTEE - TWELFTH REPORT.

It was moved by Alderman Agro and seconded by Alderman Gallagher.

RESOLVED: That Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting an amendment to Licensing By-law No. 79-323 Respecting Places of Amusement. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 10:

"10. (a) That Schedule 15 of By-law No. No. 79-323, as amended, be further amended by including a daily licence fee in the amount of \$20.00 for a Circus held in permanent indoor structures.

(b) That the City Solicitor be directed to prepare the necessary amending By-law." - CARRIED.

\* \* \* \* \*

(G) FINANCE COMMITTEE - SIXTEENTH REPORT.

\* \* \* \* \*



It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time.

A-24, A-25,  
B-82, B-83, B-84, B-85,  
D-125, D-126, D-127, D-128, D-129, D-130, D-131,  
D-132,  
E-15, E-16, E-17, E-18 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Cowell in the chair.

\*A-24, A-25,  
B-82, B-83, B-84, B-85,  
D-125, \*D-126, D-127, D-128, D-129, D-130, D-131,  
D-132,  
E-15, E-16, E-17, E-18 - CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading).

\*Recorded vote on Bill No. A-24.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

\*Recorded vote on Bill No. D-126.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time:

A-24, A-25,  
B-82, B-83, B-84, B-85,  
D-125, D-126, D-127, D-128, D-129, D-130, D-131, D-132,  
E-15, E-16, E-17, E-18.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0 - CARRIED.

\* \* \* \* \*

City Council adjourned at 9.10 o'clock, p.m.

\* \* \* \* \*









## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Executive Committee presents its TWENTY-FIRST Report for 1988 and respectfully recommends:

1. (a) That the provision for the replacement of the carpeting in the Hamilton Convention Centre in the amount of \$300 000 in the 1988 Portion of the 1988-1992 Capital Budget be increased by \$36 000 to \$336 000 in order that the replacement of the carpeting in Hamilton Place can also be included.
- (b) That the replacement of the carpeting in Hamilton Place and the Convention Centre be proceeded with at this time at a total estimated cost of \$336 000 and be financed from the HECFI Reserve Account No. 0280-48.
- (c) That the provision of \$160 000 in the 1989 Portion of the 1988-1992 Capital Budget for the replacement of the carpeting in Hamilton Place be deleted.

NOTE: As part of the 1988-1992 Capital Budget process the HECFI Board of Directors recommended that the carpeting in both the Convention Centre and Hamilton Place be replaced in 1988 at a cost of \$300 000 for the Convention Centre and \$160 000 for Hamilton Place. As a result of budget deliberations, City Council approved the replacement of the carpeting in the Convention Centre in 1988 and agreed to delay the replacement of the Hamilton Place carpeting until 1989.

It has since been determined, however, that considerable savings can be realized by proceeding with both replacements at this time and therefore the Executive Committee is recommending approval of the above which will result in a net reduction of \$124 000 from the 1988-1992 Capital Budget.

The HECFI Board of Directors approved this Capital Project at its meeting on November 18, 1988.

2. (a) That the Mayor be requested to send a letter to the McDonald's Restaurants of Canada, fast food chain to compliment their organization on the thorough and responsible manner in which they keep their sites and the surrounding areas free of litter and debris, and further  
  
(b) That arrangements be made for a representative(s) of McDonald's Restaurants to attend a future meeting of City Council to be formally recognized and presented with an appropriate award.
3. That the Licencing Administrator of the City of Hamilton be directed to send a letter to all handbill distribution companies advising them of their obligations under the Licencing requirements for the City of Hamilton.

NOTE: The Keep Hamilton Clean Citizen's Committee, at their meeting held on 1988 October 3, noted that these organizations are a significant source and generator of litter and debris which spreads quickly due to the improper delivering of handbills.

Frequently, these handbills are seen blowing around residential neighbourhoods as a result of their not being placed in the mailboxes of the residences to which they are being delivered.

The intent of this resolution is to encourage the distributors to have the handbills placed in mailboxes and not left on porches, lawns and elsewhere to be blown around.

4. That the Director of Public Works be directed to communicate in letter form with the head offices of the 7 - 11, Mac's Milk and Becker's chain stores to encourage these organizations to put forth an effort to regularly pick up debris and litter around their premises.

NOTE: The Keep Hamilton Clean Citizen's Committee, at their meeting held on 1988 October 3, noted that these organizations are a significant source and generator of litter and debris which spreads quickly to the many residential areas surrounding these stores.

It was further noted that very few of these stores put forth a continuing and sustained effort to control this problem which, by the very nature of their business, is generated in large quantities.

5. That the Director of Public Works be directed to communicate in letter form with the Hamilton Homebuilders' Association to encourage this organization to put forth an effort to regularly pick up debris and litter around the work sites of the Contractors and Homebuilders who belong to their association.

NOTE: The Keep Hamilton Clean Citizen's Committee, at its meeting held on 1988 October 3, noted that some of the members of this organization are a significant source and generator of litter and debris which spreads quickly to the many residential areas surrounding building sites.

6. That leave be granted to introduce the following Bills:

- (a) Bill A-26      A By-law to Authorize the Construction of a Finished Roadway, Curbs and Sidewalks on Greenhill Avenue between National Drive and Summercrest Drive.
- (b) Bill A-27      A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
EXECUTIVE COMMITTEE

J. J. Schatz  
Secretary  
1988 November 24  
/bc









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its TWENTIETH Report for 1988 and respectfully recommends:

1. That the Mayor and City Clerk be authorized to execute an amendment to the Letter of Agreement dated 1988 March 28, between the City of Hamilton and the Provincial Ministry of Tourism and Recreation to:
  - (a) Allow the Province to release further funds in the amount of \$62 500 to the City towards the cost of the Market/Financial/Conceptual and Management Study of the Waterfront Master Plan.
  - (b) Increase the Intergovernmental Task Force membership to include 3 members of the Waterfront Sub-Committee and 1 from the Hamilton and District Chamber of Commerce.
2.
  - (a) That the instructional fees paid to the Instructors at Senior Citizen Centres, be increased from \$2 per session to \$4 per session for 10 week courses.
  - (b) That each year, instructional fees are to be increased proportionately to the rate of inflation.
3.
  - (a) That the short, medium and long term needs for additional community arenas in the City of Hamilton be determined by means of a Feasibility (including Needs) Study conducted by independent consultants.
  - (b) That the Terms of Reference for the Study be developed by a Steering Committee comprised of: three members of the Parks and Recreation Committee, three members of staff (two from Culture and Recreation, one from Planning Department), one representative for each of the following: Hamilton Minor Hockey Council, Hamilton Ringette, Figure Skating; and, Hamilton Old Timers Hockey, three citizens-at-large (to be approved by the Parks and Recreation Committee), one representative of the Ministry of Tourism and Recreation.
  - (c) That the Terms of Reference be submitted to the Parks and Recreation Committee for approval.

- (d) That staff be authorized to make application to the Ministry of Tourism and Recreation for a Community Recreation Planning Grant to off-set up to 50% of the costs of the Study.
- (e) That the Executive Committee be requested to recommend the method of financing for this Study taking into consideration those funds which may be available in the Reserve for Parkland Account, at an estimated cost to the City of \$30 000.

NOTE: The Terms of Reference will be forwarded to Parks and Recreation Committee for consideration, early in 1989. Included in the Terms of Reference, will be a report on the feasibility of a downtown ice skating facility.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE FEASIBILITY STUDY FOR ADDITIONAL ARENA(S), AT AN ESTIMATED CITY'S SHARE OF \$30 000, BE FINANCED FROM THE RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT, ACCOUNT NO. 0280-11, SUBJECT TO APPROVAL OF A COMMUNITY RECREATION PLANNING GRANT TO OFFSET UP TO 50% OF THE COSTS OF THE STUDY.

4. That leave be granted to introduce the following Bill:

Bill C-4                      By-law to Amend Cemeteries By-law No. 8861  
Respecting Revised Tariff of Charges.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

R. C. Prowse, Secretary  
1988 November 22







REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTY-THIRD Report for 1988 and respectfully recommends:

1. (a) That the City of Hamilton's Sanitation Study (Phase IV Downtown Action Plan Public Alleys, Downtown Promenade and International Village B.I.A.s) formulated by C.C. Parker Consultants dated 1988 April BE ADOPTED; and,
- (b) That steps one through four and six of the recommended action plan of the Study (attached herewith and marked Appendix "A") BE IMPLEMENTED ON A TRIAL BASIS for a period not to exceed nine months commencing on or about 1988 December 01 at an estimated cost of \$40,000.; and
- (c) That a thorough evaluation of the results of steps one through four and six be undertaken prior to the end of the ninth month, referred to in (b) above;

NOTE: Costs to implement the recommendations contained in the Sanitation Report (excluding step #5) not to exceed forty thousand dollars (\$40,000). Approximately fifteen thousand dollars (\$15,000) will be spent on a clean-up campaign and communication with the public, i.e. newsletters, direct mail and personal contacts. An additional twenty-five thousand dollars (\$25,000) is estimated for the purchase of individual containers at the rear of each of the effected properties (total of \$40,000).

Sufficient funds are available through Phase IV of the Downtown Action Plan.

2. (a) That the City of Hamilton, in its capacity as Landlord, GRANT APPROVAL to First Phase Civic Square Limited, of the plans and drawings of the expansion within the First Phase of L.D. Jackson Square, contemplating the creation of an additional building coverage of 14,600 square feet to house a Six-Plex cinema; and
- (b) That First Phase Civic Square Ltd. (Lessee) be advised that formal amendments to the Ground Lease will require Council approval to effect this alteration to this phase of the L.D. Jackson Square Development prior to commencement of any alterations for the purpose of this expansion. Furthermore, the Lessee be advised that additional ground lease rent will be required in accordance with the terms of the Ground Lease.

NOTE: The net rentable area of the Square will be increased; therefore, the rental to be paid by the developer will be increased accordingly pursuant to the Ground Lease.

3. That the Corporation of the City of Hamilton accept the sum of \$16,200.00 as cash payment in lieu of 5% dedication in connection with "Rita Avenue Survey", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located east of Upper Gage Avenue and north of Rymal Road in the Templemead Neighbourhood, Hamilton.

4. That the City of Hamilton accept the sum of \$16,675.00 as cash payment in lieu of 5% dedication in connection with "DeSantis Gardens", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located west of Greenhill Avenue and south of National Drive in the Gershome Neighbourhood, Hamilton.

5. That a purchase order be issued to Canadian Thermopower Industries Ltd., Mississauga, in the amount of \$14,181.16, for the supply, delivery and installation of Furniture, Building Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of four (4) tenders received. Funds provided in Office Furniture Account #0344-1071 (\$13,453) and Work in Progress Account #0408-W5522 (\$728.16).

6. That APPROVAL be given to Draft Plan of Condominium Application SA-88-16, "Robinson Property", E. Robinson Properties, owner, to establish a draft plan of condominium located on the north side of Limeridge Road, west of West 5th Street, subject to the following conditions:

- (a) That this approval apply to the plan prepared by MacKay, MacKay & Peters Limited dated 1988 June 30.
- (b) That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

7. That the City Clerk BE DIRECTED to advise the Regional Municipality of Hamilton-Wentworth that the City of Hamilton supports:

- (a) the retention of the existing development control system administered by the Niagara Escarpment Commission for those areas designated "Escarpment Natural Area" in the Niagara Escarpment Plan within the City of Hamilton; and

- (b) the City assuming development control through zoning and site plan control for those areas designated "Escarpment Protection Area" and "Urban Area" in the Niagara Escarpment Plan.

NOTE: The Region of Hamilton-Wentworth has requested the City's comments (amongst others) on a report entitled "Development control in the Niagara Escarpment Planning Area". This report discusses the advantages and disadvantages of three options available regarding development control in the Niagara Escarpment Planning Area including:

- (a) retaining the existing system as administered by the N.E.C.;
- (b) delegating the responsibility to the Region; or,
- (c) delegating the responsibility to the local municipality by removing the designated Development Control area and replacing it with zoning and site plan control.

Prior to taking a position on this matter, the Region has requested comments from the area municipalities, the Hamilton, Halton and Grand River Conservation Authorities, the Niagara Escarpment Commission (N.E.C.) and the Ministry of Municipal Affairs.

8. That the Regional Municipality of Hamilton-Wentworth be requested to grant a one year extension to the draft approval for "Battleridge" Subdivision (Regional File No. 25T-76024).

NOTE: The one year extension is being requested on the basis that final plans for the subdivision have not been completed. No changes are being requested to the conditions of approval established by Regional Council

9. That the completion date for the construction of a "multi-storey building combining residential and commercial uses" for property known as 400 York Boulevard sold by the City of Hamilton to Karl Vander Schaaf be extended from 1988 November 15 to 1988 May 15th.

NOTE: On 1986, November 11, City Council approved the sale of approximately 12,685 square feet of City land at 400 York Boulevard to Karl Vander Schaaf by its adoption of Item 16 of the 24th Report of the Planning and Development Committee.

One of the conditions of the Offer to Purchase Agreement was that "The Purchaser shall commence construction of a multi-storey building combining residential and commercial uses, said construction to be completed within ten months from the date of closing" (Schedule "A", Paragraph b). The transaction closed on 1988 January 15, so the corresponding completion date as set out in the agreement is 1988 November 15.



Due to a number of delays in obtaining zoning amendments and final site plan approvals, construction was unable to start until August and the contractual completion date cannot be met. To avoid a "cloud on title" and allow a continued mortgage draw, the owner has requested a six month extension to the November 15th completion date, and staff concur with this request.

- 10 (a) That APPROVAL be given to Zoning Application 88-82, Red Lobster Canada, Lessee, for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District, for property located at the rear of No. 1066 Upper James Street, as shown on the attached map marked as APPENDIX "B", on the following basis:

- i) That the subject lands be rezoned from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District;
- ii) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593 be amended to include the following variance as a special provision:
  - (1.) Notwithstanding Section 18A(11)(a) & (12) (a) of Zoning By-law No. 6593 a landscaped planting strip not less than 3.0 m (9.84 ft.) in width shall be provided and maintained along the northerly side lot line adjoining the residential district boundary.
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1103, and that the subject lands on Zoning District Map W-9a be notated S-1103;
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9a for presentation to City Council;
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- vi) That the Yeoville Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double" residential to a "Commercial" land use.

- (b) That the amending By-law not be forwarded to City Council for passage until such time as the required site plan is approved by the Planning and Development Committee.

NOTE: The purpose of the By-law is to provide for a change in zoning of lands located at the rear of No. 1066 Upper James Street from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District.

The effect of the By-law is to permit the lands to be used for a parking lot in conjunction with the Red Lobster Restaurant located at No. 1066 Upper James Street. In addition, the By-law requires that a 3.0 m wide landscaped planting strip be provided and maintained along the northerly side lot line adjoining a residential district.

11. That By-law No. 88-161, with respect to land located at 849 and 853 Upper Wentworth Street, be repealed, re-enacted and recircularized.

NOTE: By-law 88-161 respecting the above-noted property was presented to City Council for adoption at its meeting held 1988 June 28. However, since the Bills were passed after midnight, the Bills were dated 1988 June 29th, and circularized with the appeal period giving one day's less notice. This By-law has been appealed and the Ontario Municipal Board has referred to the City Solicitor the determination of whether sufficiency of the notice of the passing of the By-Law has been given. The Solicitor has determined that sufficient notice has not been given, and recommends that the by-law be repealed, re-enacted and recirculated.

12. That leave be granted to introduce the following bills:

- |     |            |  |
|-----|------------|--|
| (a) | Bill D-133 | A By-law to adopt Official Plan Amendment No. 62 respecting the Hamilton Beach and Confederation Park located between Lake Ontario, the City of Stoney Creek, Gray's Road, the Queen Elizabeth Way and the Burlington Canal. |
| (b) | Bill D-134 | A By-law to amend Zoning By-law No. 6593 respecting lands located in the area west of Upper Wentworth Street and north of Stonechurch Road East.   |
| (c) | Bill D-135 | A By-law to amend Zoning By-law No. 6593 respecting lands located on the west side of Upper Ottawa Street, south of Turnbridge Crescent municipally known as No. 1446 Upper Ottawa Street.                                   |
| (d) | Bill D-136 | A By-law to amend Zoning By-law No. 6593 respecting lands located at the rear of municipal no. 653 Limeridge Road East.  |



- (e) Bill D-137 To repeal By-law 88-161 and to amend Zoning By-law 6593 as amended by Zoning By-law nos. 80-107 and 85-172 respecting lands located at municipal nos. 849 and 853 Upper Wentworth Street.
- (f) Bill D-138 A By-law to amend Zoning By-law No. 6593 lands located at 872, 878, 882 and 890 Upper Wentworth Street.
- (g) Bill D-139 A By-law to amend Zoning By-law No. 6593 respecting lands located at 1379-1383 Upper James Street

Respectfully submitted,

Alderman J. Smith, Chairman  
Planning and Development Committee

Susan K. Reeder  
Secretary  
1988 November 9th

City of Hamilton  
Sanitation Study  
Phase IV Downtown Action Plan

Appendix A as referred  
to in Section 1 of the  
TWENTY-THIRD Report  
for 1988 of the Planning  
and Development Committee

Public Alleys

PARKER  
CONSULTANTS

Step 1     Establish a Businesses/Municipal Liaison Committee

Establish a Business/Municipal Liaison Committee made up of administrative and collection staff from the Department of Public Works, a representative from the Community Development Department and representatives from the Business Improvement Areas (BIA). The purpose of this committee would be to:

- promote an on-going exchange of ideas and opinions related to garbage issues and to resolve concerns before they develop into larger problems.
- discuss, through the BIA representatives, with each business, building owner and apartment landlord the Municipal rules and regulations for organizing and disposing of their garbage. In addition to the Municipal rules, identified previously, the following guidelines should also be followed:
  - garbage should be securely bagged in large sturdy garbage bags rather than small flimsy bags or boxes.
  - cardboard boxes, if containing garbage, should be securely tied with suitable cord to prevent collapse.
  - empty boxes should be broken down and tied together.
  - food wastes should be protected from scavenging by animals.

Step 2     Arrange the Consolidation and Sharing of Existing Private Collection Systems

If the several existing individual private disposal contracts are consolidated into a single group contract, a cost savings should be realized by each individual user.

The BIA's would be the logical agency to administer such a contract. In developing a contract, the BIA's, through consultation with their membership, should establish standards for a maintenance contract that considers:

- procedures for emptying bins and cleaning of the adjacent area.
- frequency of bin maintenance.

A single contract should be established for both the large free standing bins and for the restaurant fat/oil bins. In addition, to the existing businesses there may, either be other businesses interested in participating in the use of private bins administered under one contract, or businesses interested in sharing the use of a bin. The results of our survey indicated that about twenty-five percent of the businesses might be interested in sharing existing containers.

The benefits of a single private bin disposal contract administered through the BIA's include:

- reduced cost to individual businesses.
- improved service both in quality of work and frequency of maintenance.
- service quality standards that can be monitored.

Step 3     Ensure that Garbage Collection Rules and Regulations are being Followed

The BIA representatives through regular contact with the members should undertake the following tasks:

- review with each alley user the careless practices in the past that have contributed to the unsightly conditions in the alley.
- contact new businesses as they open, to ensure that they are aware of the recommended methods for disposal of garbage, as well as the day and time for Municipal collection.
- promote pride within block merchants to maintain the alleys in clean condition. Keeping the alleys clean, free of loose garbage and debris should be everyones goal. Each BIA member shares a responsibility for the condition of the alleys.

Step 4     Designation of Specific Areas for Garbage Disposal

In locations where the alleys are too narrow to accommodate garbage storage and vehicle access, locations have been identified on Exhibits 1 and 2 where garbage containers can be installed. These locations are on private property and, where practical, could be shared by a group of users. These garbage containers should be fixed containers mounted on walls. The minimum size for these containers would be 5 ft. high x 2 ft. wide x 10 ft. long with a middle shelf, which would provide sufficient storage for the maximum number of garbage bags or boxes per business. Larger dimensions can be achieved where space permits. These containers should also have sliding side doors for easy access by Municipal collection crews and should be raised about one foot above the ground.



The BIA's should arrange and negotiate with property owners the necessary agreements to have the bins installed on building walls. The bins could be constructed and installed through a contract administered by the BIA's. The cost for this work could be financed through the BIA membership levy.

#### Step 5      Increase Frequency of Collection

Several businesses indicated, as a comment in their questionnaire, that they would benefit from additional municipal garbage pick-up. A survey of other municipalities, conducted by the Department of Public Works, indicates that most other municipalities collect garbage within their downtown core area at least twice per week. A summary of these survey results is contained in Appendix 3. Many of the businesses generate large amounts of garbage with no place to store it except in the alley. An additional pick-up would alleviate the problem of garbage building up over an entire week.

Garbage was collected at night some years ago on an experimental basis. This practice was abandoned because of the difficulties and problems associated with working in a dark alley in the early morning hours. Collection could not begin until after businesses, in particular restaurants, had closed.

It is suggested that the recommendations Steps 1 to 4 be implemented, if however, they do not completely resolve the problem, it may be necessary to add an additional municipal collection in the downtown core. The City now collects garbage Tuesday morning. Friday would be the most desirable day for this extra collection. The cost for this added service is



estimated to be in the order of \$42,000 per year based on a collection crew cost of about \$800 per day. This cost is higher than the normal cost of \$640 per day for a crew because this second collection is in addition to Friday's regular collection and takes into account possible overtime and related costs associated with this work.

#### Step 6     Monitor and Fine Tune System

As each step is implemented, the Liaison Committee should monitor the results to evaluate the effectiveness of each. If a particular location becomes a chronic problem it may be necessary for the City to enforce the requirements of By-law 85-150 Collectible Wastes. It is recognized that actually witnessing the offence and enforcing the by-law may be difficult. However, enforcement of the rules protects those that comply with the by-law while penalizing those that do not to follow the regulations.













## REPORT OF THE PERSONNEL COMMITTEE

To The Council of the Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its THIRTEENTH Report for 1988 and respectfully recommends:

1. That the temporary position of Buyer/MSA Analyst be placed in the Non-Union pay grade of "N" effective July 17, 1988 to April 30, 1989.
2. That the position of Claims Co-ordinator be retitled and reclassified to Manager of Administration, Public Works and placed in the Non-Union pay grade of "J" effective August 8, 1988.
3. That a purchase order be issued to Firth Bros. Ltd. and Martin and Levesque (1983) Inc., Hamilton for the supply and delivery of Fire Department Uniform Clothing as and when required during 1989 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

- Senior Officer Tunic	\$114.75
- Junior Officer Tunic	111.75
- Male Tunic	111.75
- Male Trousers	33.25
- Male Raincoat	86.90
- Male Parka	64.50
- Female Slacks	33.90
- Female Skirt	33.90
- Female Raincoat	86.90
- Female Parka	64.50

Provincial sales tax extra at 8%

NOTE: Lowest acceptable of three (3) tenders received. Funds provided in Uniforms, Clothing and Accessories Account No. 0341-0429.

As measurments are to take place in Hamilton during mid-November, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

4. That a purchase order be issued to Langley Parisian Limited, Hamilton to Dry Clean and Launder Fire Department Uniform Clothing as and when required during 1989, 1990 and 1991 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

	<u>1989</u>	<u>1990</u>	<u>1991</u>
- Uniform Tunic	\$1.60	\$1.72	\$1.85
- Uniform Trousers	1.50	1.65	1.75
- Raincoat	3.30	3.45	3.55
- Nylon Parka	3.30	3.45	3.55
- Uniform Female Slacks	1.50	1.65	1.75
- Uniform Skirt	1.50	1.65	1.75
- Uniform Shirts	.65	.80	.90

Provincial sales tax extra at 8%

NOTE: Lowest of four (4) tenders received. Funds provided in Cleaning Uniforms Account No. 0341-0125 and 0341-0425.

5. That the Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to November 9, 1988 attached here to as Schedule "A", BE APPROVED.
6. That the Agreement between Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers International Association, Local 537 attached hereto as Schedule "B", BE APPROVED.
7. That the Agreement between The Labour Relations Section of the Ontario Industrial Roofing Contractors' Association and Ontario Sheet Metal Workers' and Roofers' Conference of the Sheet Metal Workers' International Association, Local 537, Hamilton and Brantford, Ontario attached hereto as Schedule "C", BE APPROVED.

RESPECTFULLY SUBMITTED

ALDERMAN M. KISS  
CHAIRPERSON  
PERSONNEL COMMITTEE

Susan K. Reeder  
Secretary  
1988 November 23  
att.

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Marsha Atwood	Administrative Assistant/Secretary (12)	Hamilton Place (division of H.E.C.F.I.)	replacing Ms. J. Faris - retired	\$27,278.68	\$27,278.68 per annum	October 03/88
Mr. David R. Batchelor	Probationary Firefighter (N1)	Fire	replacing Mr. R. Simpson - retired	\$28,747.39	\$28,747.39 per annum	October 11/88
Mr. James Batchelor	Garbage Truck Driver (D-9)	Public Works	replacing Mr. L. Moore - retired	\$12,192 to \$12,392	\$12,392 per hour (2 of 2)	October 10/88
Ms. Rae J. Blanchard	Stenographer IV (E-2)	City Solicitor's	replacing Ms. G. Paradis - promoted	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	October 03/88
Ms. Marilyn Bowly	Box Office Manager (15)	H.E.C.F.I.	replacing Ms. C. Spencer - resigned	\$34,886.28	\$34,886.28 per annum	October 17/88
Mr. Sheldon Boyd	Probationary Firefighter (N1)	Fire	replacing Mr. R. Adams - retired	\$28,747.39	\$28,747.39 per annum	October 11/88
Mr. Donald B. Boyter	Licence Inspector/ Mechanic (A-9)	City Clerk's	new position approved by Council July 26/88	\$521.73 to \$624.82	\$598.11 per week (4 of 5)	October 24/88
Mr. Joseph F. Buzit	Supervisor Driver Safety (L-3)	Public Works	new position approved by Council September/88	\$34,886.28 to \$41,081.04	\$39,450.84 per annum (4 of 5)	November 7/88
Mr. Siebren de Jong	Project Manager (K)	Property	new position approved by Council April 12/88	\$38,038.00 to \$44,776.16	\$41,298.40 per annum (3 of 5)	October 11/88



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EXPIRATIVE DATE</u>
Mr. Ken Edgar	Building Inspector (A-12)	Building	replacing Mr. D. Bodnar - resigned	\$588.12 to \$698.97	\$588.12 per week (1 of 5)	October 17/88
Mr. Salvatore P. Farranto	Facility Sales Manager (15)	Convention Centre (division of H.E.C.F.I.)	replacing Mr. N. Davidson - retired	\$34,886.28	\$34,886.28 per annum	October 3/88
Ms. Catherine Good	Licence Inspector II (A-9)	City Clerk's	new position approved by Council June 28/88	\$521.73 to \$624.82	\$521.73 per week (1 of 5)	October 24/88
Ms. Natalie Gould	Counter Clerk (A-3)	Building	replacing Ms. L. Paterson - promoted	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	October 17/88
Mr. Steve P. Greens	Probationary Firefighter (N1)	Fire	replacing Mr. J. Januzzi - resigned	\$28,747.39	\$28,747.39 per annum	October 11/88
Mr. William J. Hubar	Litigation Counsel (F)	City Solicitor's	replacing Mr. D. Vickers - resigned	\$54,122.64 to \$63,686.48	\$63,686.48 per annum (5 of 5)	October 31/88
Mr. Kevin Howell	Probationary Firefighter (N1)	Fire	replacing Mr. R. Holmes - retired	\$28,747.39	\$28,747.39 per annum	October 11/88
Mr. Robert Kurjuk	Probationary Firefighter (N1)	Fire	replacing Mr. E. Anderson - retired	\$28,747.39	\$28,747.39 per annum	October 11/88



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Brian J. Malone	Traffic Operations Engineer (H)	Traffic	replacing Mr. M. Powell - resigned	\$46,841.60 to \$55,209.44	\$46,841.60 per annum (1 of 5)	October 03/88
Ms. Eldoreen C. Mason	Licence Clerk (A-3)	City Clerk's	replacing Ms. C. Good - promoted	\$394.30 to \$447.93	\$410.00 per week (2 of 4)	October 24/88
Mr. Glen M. Matthews	Probationary Firefighter (N1)	Fire	replacing Mr. J. Hargrove - retired	\$28,747.39	\$28,747.39 per annum	October 11/88
Ms. Maureen G. McCaffrey	Administrative Assistant /Secretary (12)	Copps Coliseum (division of H.E.C.F.I.)	replacing Ms. L. Stewart - promoted	\$28,500.16	\$28,500.16 per annum	October 31/88
Mr. Robert S. Mooney	Probationary Firefighter (N1)	Fire	replacing Mr. W. Smith - retired	\$28,747.39	\$28,747.39 per annum	October 11/88
Mr. John D. Pawlick	Probationary Firefighter (N1)	Fire	replacing Mr. J.M. Mehlenbacher - resigned	\$28,747.39	\$.28,747.39 per annum	October 11/88
Mr. James Pearson	Equipment Foreman/ Woman (Repairs) (13C)	Culture & Recreation	replacing Mr. O. Theroux - retired	\$27,837.68 to \$31,969.60	\$29,903.64 per annum (2 of 3)	October 03/88
Mr. Edward Rodek	Equipment Repairman/ Woman (Recreation) (D-11)	Culture & Recreation	replacing Mr. J. Pearson - promoted	\$12.391 to \$12.591	\$12.591 per hour (2 of 2)	October 31/88

Prepared 09 November 1988

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. John A.C. Ross	Ontario Municipal Management Trainee (OMM)	Treasury	replacing Ms. C. Coutts - promoted	\$17,654.52 to \$18,359.12	\$17,654.52 per annum (1 of 2)	October 24/88
Mr. Gordon P. Seilinger	Probationary Firefighter (N1)	Fire	replacing Mr. A. Sakalauskas - resigned	\$28,747.39	\$28,747.39 per annum	October 11/88
Mr. Craig Squires	Probationary Firefighter (N1)	Fire	replacing Mr. R. Donat - retired	\$28,747.39	\$28,747.39 per annum	October 11/88
Ms. Karen Staton	Finance Officer (12)	H.E.C.F.I.	replacing Mr. D. Anyeung - resigned	\$27,278.68	\$27,278.68 per annum	October 24/88
Mr. Steve J. Vanderveen	Probationary Firefighter (N1)	Fire	replacing Mr. W. Cooke - retired	\$28,747.39	\$28,747.39 per annum	October 11/88

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Ronald J. Adams	Firefighter I, 4th year	Fire	Retired	34 years, 4 months	November 30, 1988
Mr. Edward C. Anderson	Firefighter I, 4th year	Fire	Retired	35 years, 8 months	November 27, 1988
Mrs. Frances Astley	Assistant Manager -Secretary	Parking Authority	Resigned	12 years, 9 months	November 02, 1988
Ms. Darcy Auyeung	Finance Officer	Convention Centre (division of H.E.C.F.I.)	Resigned	7 months	October 21, 1988
Mr. William Cooke	Captain	Fire	Retired	37 years, 2 months	November 30, 1988
Mr. Gary Cowles	Assistant Maintenance Supervisor	Culture & Recreation	Terminated	11 years, 1 month	July 09, 1988
Mr. John J. Demois	By Law Enforcement Constable	Traffic	Retired	10 years, 4 months	October 31, 1988
Ms. Lydia Difazio	Clerk-Typist III	Real Estate (division of Property)	Resigned	4 years	November 03, 1988
Mr. Rolfe A. Donat	Firefighter I, 4th year	Fire	Retired	30 years, 5 months	November 27, 1988
Mr. Roy E. Gay	Fire Safety Officer	Fire	Retired	32 years, 5 months	November 30, 1988
Mr. Richard Holmes	Firefighter I, 4th year	Fire	Retired	30 years, 7 months	December 01, 1988
Mr. Nicholas Kir	Lieutenant	Fire	Retired	36 years, 4 months	December 01, 1988
Mr. Neubert L.J	Senior Property Officer/Appraiser	Real Estate (division of Property)	Resigned	3 months	November 11, 1988

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Robert S. Mooney	Probationary Firefighter	Fire	Resigned	8 days	October 20, 1988
Ms. Linda Parlee	Switchboard Operator	Clerk's	Resigned	2 years, 10 months	November 04, 1988
Mr. George F. Pastor	Firefighter I, 4th year	Fire	Retired	33 years, 1 month	December 01, 1988
Mr. William J. Penfold	Director of Hamilton Convention Centre	Convention Centre (division of H.E.C.F.I.)	Retired	6 years	November 12, 1988
Ms. Stephanie Prypc	Administrative Assistant II	Mayor's Office	Resigned	2 years, 10 months	November 11, 1988
Mr. Read F. Simpson	Firefighter I, 4th year	Fire	Retired	35 years, 1 month	November 27, 1988
Mr. William R. Smith	Firefighter I, 4th year	Fire	Retired	37 years, 6 months	November 27, 1988
Ms. Colleen Spencer	Box Office Manager	H.E.C.F.I.	Resigned	12 years, 7 months	October 14, 1988
Mr. James F. C. Taylor	Firefighter I, 4th year	Fire	Retired	37 years	November 27, 1988
Ms. Caroline Thompson	Typist Clerk II	Building	Resigned	7 months	November 4, 1988



Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers  
International Association, Local Union 537

Duration of Agreement: May 1, 1988 - April 30, 1990

APPENDIX "A"  
SHEETING & DECKING

Area 3 Hamilton-Brantford Section  
Local Union No. 537

WAGE RATES

<u>Classification</u>	<u>Effective Date</u>	<u>Hourly Rate</u>	<u>Vac Pay</u>	<u>Total Employer Contr.</u>	<u>Total Package</u>
Sheeter/Decker	May 1/88	\$21.64	10%	\$2.30	\$26.10
	Aug. 1/88	\$21.18	10%	\$2.80	\$26.10
	May 1/89	\$22.32	10%	\$3.05	\$27.60

Foreman Premium - \$1.00 per hour

Sheeter/Decker Assistant	May 1/88	\$20.16	10%	\$2.30	\$24.48
	Aug. 1/88	\$19.71	10%	\$2.80	\$24.48
	May 1/89	\$20.75	10%	\$3.05	\$25.88

Material Handler	May 1/88	\$17.96	10%	\$2.30	\$22.06
	Aug. 1/88	\$17.51	10%	\$2.80	\$22.06
	May 1/89	\$18.43	10%	\$3.05	\$23.32

Probationary Employee	May 1/88	\$10.11	10%	\$2.30	\$13.42
	Aug. 1/88	\$9.65	10%	\$2.80	\$13.42
	May 1/89	\$10.11	10%	\$3.05	\$14.17

SHIFT WORK PREMIUM

Journeyman: \$2.84 per hour  
Other Classifications: at appropriate percentages

IRREGULAR HOURS PREMIUM

Journeyman: \$2.50 per hour  
Other Classifications: at appropriate percentages

TRAVEL PER KM:

May 1/88 \$0.23  
May 1/89 \$0.24





The Labour Relations Section of the Ontario Industrial Roofing Contractors' Association and Ontario Sheet Metal Workers' & Roofers' Conference of the Sheet Metal Workers' International Association, Local 537 Hamilton & Brantford, Ontario

Duration of Agreement: May 1, 1988 - April 30, 1990

Effective Date: May 1/88

<u>Classification</u>	<u>Basic Rate</u>	<u>Foreman Premium</u>	<u>Vac. Pay</u>	<u>OSM Conf.</u>	<u>Sub Total</u>	<u>OIRCA</u>	<u>Total</u>
Foreman	\$21.48	\$0.75	\$2.22	\$0.05	\$24.50	\$0.08	\$24.58
Potman & Roofer	\$20.91	—	\$2.09	\$0.05	\$23.05	\$0.08	\$23.13
Material Handler	\$19.12	—	\$1.91	\$0.05	\$21.08	\$0.08	\$21.16
Material Handler (Sr. Prob.)	\$15.24	—	\$1.52	\$0.05	\$16.81	\$0.08	\$16.89
Material Handler (Jr. Prob.)	\$13.51	—	\$1.35	\$0.05	\$14.91	\$0.08	\$14.99

Foreman's Premium - \$0.75 (calculated in above rates)  
Pitch Premium - \$1.00

It is further agreed that a Roofing Potman will be paid for his half-hour lunch period providing it is necessary to perform any duties that he normally does during his regular day's work.

Vacation Pay - Method of Payment: Such payment shall include pay for vacation and holidays in the first week of July, the first week of December and on lay-off.

Effective Date: May 1, 1989

<u>Classification</u>	<u>Basic Rate</u>	<u>Foreman Premium</u>	<u>Vac. Pay</u>	<u>OSM Conf.</u>	<u>Sub Total</u>	<u>OIRCA</u>	<u>Total</u>
Foreman	\$22.84	\$1.00	\$2.38	\$0.05	\$26.27	\$0.08	\$26.35
Potman & Roofer	\$22.28	—	\$2.22	\$0.05	\$24.55	\$0.08	\$24.63
Material Handler	\$20.48	—	\$2.05	\$0.05	\$22.58	\$0.08	\$22.66

<u>Classification</u>	<u>Basic Rate</u>	<u>Foreman Premium</u>	<u>Vac. Pay</u>	<u>OSM Conf.</u>	<u>Sub Total</u>	<u>OIRCA</u>	<u>Total</u>
Material Handler (Sr. Prob.)	\$16.27	——	\$1.62	\$0.05	\$17.94	\$0.08	\$18.02
Material Handler (Jr. Prob.)	\$14.40	——	\$1.44	\$0.05	\$15.89	\$0.08	\$15.97

Foreman's Premium - \$1.00 (calculated in above rates)  
Pitch Premium - \$1.25

It is further agreed that a Roofing Potman will be paid for his half hour lunch period providing it is necessary to perform any duties that he normally does during his regular day's work.

Vacation Pay - Method of Payment:

Such payment shall include pay for vacation and holidays in the first week of July, the first week in December and on lay-off.

Travel Per KM:

May 1/88 \$0.23  
May 1/89 \$0.25







The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Authorize:

THE CONSTRUCTION OF A FINISHED ROADWAY, CURBS AND SIDEWALKS  
ON GREENHILL AVENUE BETWEEN NATIONAL DRIVE AND SUMMERCREST DRIVE

WHEREAS the Ontario Municipal Board, by Order dated the  
5th day of October 1988, (File No. E 881255) approved,

- (a) the construction of a finished roadway, curbs and sidewalks on Greenhill Avenue between National Drive and Summercrest Drive at an estimated cost of \$860,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$640,000.00 for a term not to exceed fifteen years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the  
City of Hamilton enacts as follows:

1. The undertaking described as the construction of a finished roadway, curbs and sidewalks on Greenhill Avenue between National Drive and Summercrest Drive, may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 5th day of October 1988.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

BY-LAW NO. -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 29th DAY OF NOVEMBER A.D., 1988.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 198

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January, 1960, in accordance with The Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 19th Report of the Parks and Recreation Committee, at its meeting held 08 November 1988, directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 1989.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-17, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22 and 88-40, is further amended by deleting Schedule "B-1988" and substituting in lieu thereof Schedule "B-1989", hereto annexed and forming part of this by-law.

(b) In all other respects, By-law No. 8861, as amended, is hereby confirmed, unchanged.

2. This by-law comes becomes effective on the 2nd day of January, 1989.

3. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this by-law.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

SCHEDULE "B-1989"

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

January 2, 1989

(Cemeteries By-law No. 8861)

	Resident and Non-Resident Realty Taxpayers	Non-Residents
<u>OPENING AND CLOSING</u>		
	<u>Dressing - \$34.00</u>	<u>Device - \$28.00</u>
6 ft. adult, includes dressing and device.....	331.00	385.00
8 ft. adult, includes dressing and device.....	449.00	500.00
6 ft. child, includes dressing and device: case up to 60"	226.00	322.00
includes dressing only (no device for case 42" or less)	198.00	295.00
without dressing and device.....	164.00	261.00
6 ft. child, includes dressing and device: case 61" to 72"	250.00	364.00
includes dressing only.....	223.00	336.00
without dressing and device.....	189.00	302.00
8 ft. child, includes dressing and device: case up to 60"	250.00	364.00
includes dressing only.....	223.00	336.00
without dressing and device.....	189.00	302.00
8 ft. child, includes dressing and device: case 61" to 72"	279.00	405.00
includes dressing only.....	251.00	377.00
without dressing and device.....	217.00	343.00
Baby Special - up to one month old.....	38.00	61.00
Cremation .....	110.00	157.00
Mansion of Memories (Stoney Creek) (new crypts only).....	272.00	320.00
<u>Note: Lowering device is not used if case is 42" or less</u>		
<u>LOWERING (opening charges not included)</u>		
Adult		
From 6 ft. to 8 ft. - shell.....	227.00	343.00
From 6 ft. to 8 ft. - steel vault.....	440.00	661.00
From 6 ft. to 8 ft. - Concrete vault or crypt...	527.00	792.00
Child		
From 6 ft. to 8 ft. - 5 to 10 years.....	157.00	233.00
From 6 ft. to 8 ft. - under 5 years.....	75.00	111.00
<u>REMOVALS</u>		
Adult		
Shell.....	1,148.00	1,718.00
Concrete vault or crypt.....	973.00	1,456.00
Child		
Shell.....	283.00	440.00
Concrete vault or crypt.....	303.00	449.00
Cremation .....	110.00	157.00



SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE

Adult Single Grave (3½' x 10')(4' x 9')(4' x 10')

Graves cannot be selected or purchased in advance but are opened in sequence.....	318.00	393.00
--	--------	--------

Preferred Single Grave (3½' x 10')(4' x 10')

Where grave may be selected and purchased in advance of need.....	532.00	658.00
--	--------	--------

Child Single Grave

Case up to 60" (2' x 5').....	76.00	99.00
Case 61" to 72" (3' x 6').....	113.00	148.00

<u>Urn Garden</u> (1 3/4' x 5').....	177.00	216.00
--------------------------------------	--------	--------

<u>Veteran's Grave</u> (3½' x 10').....	302.00	
---	--------	--

<u>Social Services Grave</u> (3½' x 10')(4' x 9')(4' x 10').....	318.00	
--	--------	--

<u>Two-Grave Lot</u> (7' x 10')(6' x 12')(8' x 10').....	1,220.00	1,521.00
--	----------	----------

<u>Two-Grave Lot</u> - <u>Eastlawn</u> Sections 15, 16 (6' x 12') (6' x 12') burials only)	996.00	1,243.00
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<u>Three-Grave Lot</u> - <u>Woodland</u> Section 17 (10½' x 10').....	1,822.00	2,280.00
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<u>Four-Grave Lot</u> - <u>Woodland</u> Section 15 (12' x 12') .....	4,413.00	5,512.00
--	----------	----------

<u>Four-Grave Lot</u> - <u>Woodland</u> Sections 21, 22, 25 (10' x 14')(12' x 12') - <u>Eastlawn</u> Section 19 (12' x 12').....	2,389.00	3,037.00
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<u>Four-Grave Lot</u> - <u>Trinity</u> (8' x 16').....	2,245.00	2,849.00
--	----------	----------

<u>Mansion of Memories</u> - <u>Mausoleum Crypt</u> .....	850.00	935.00
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<u>Baby Special</u> .....	33.00	35.00
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ADDITIONAL SERVICES

<u>CRYPTS</u>	Child.....	
	Youth.....	
	Standard.....	
	Intermediate.....	
	Oversize.....	

<u>PLANTING</u>	Preparing ground and planting flowers per grave	33.00
	Preparing ground and planting one shrub.....	41.00
	(Flowers and shrubs are to be provided by the family at their expense.)	

<u>MISC.</u>	Tent in cemetery.....	102.00
	Rental of tent outside cemetery.....	148.00
	Rental of dressing for use outside cemetery....	118.00
	Rental of lowering device outside cemetery.....	118.00
	Transfer Fee \$2.00 + Research \$20.00.....	22.00

NOTE: 35% of all lot and grave sales goes into Perpetual Care

FOUNDATIONS AND MARKERS

<u>Foundation</u> - pouring per square inch of surface area (to be poured 6 feet deep)	.75	1.13
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<u>Marker Setting Fee</u> (maximum size 24" long x 18" wide) (thickness 8" maximum - 4" minimum)	92.00	141.00
--	-------	--------

<u>Social Service Marker</u> .....	92.00	124.00
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<u>Bronze Vase</u> .....	92.00	141.00
--------------------------	-------	--------

<u>D.V.A. Upright</u> .....	77.00	
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<u>D.V.A. Flat</u> .....	77.00	
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Preferred Singles

Only a flat marker 24" in length and 18" in width is permitted.

Single Graves in a Row

A flat granite marker, maximum 24" in length and 18" in width is permitted.

Urn Garden Section

Only a flat marker 12" in length and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

Two-Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2" (38"), and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

Three and Four-Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Adopt:

Official Plan Amendment No. 62

Respecting:

THE HAMILTON BEACH AND CONFEDERATION PARK LOCATED BETWEEN  
LAKE ONTARIO, THE CITY OF STONEY CREEK, GRAY'S ROAD  
THE QUEEN ELIZABETH WAY AND THE BURLINGTON CANAL

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 62 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

AMENDMENT NO. 62

TO THE

CITY OF HAMILTON OFFICIAL PLAN

The following text, together with attached Schedules "A" and "B", attached hereto, constitute Official Plan Amendment No. 62.

PURPOSE

To incorporate changes to Schedules, revise and add a new Special Policy Area and related policies.

LOCATION

This Amendment affects the Hamilton Beach and Confederation Park located between Lake Ontario, the City of Stoney Creek, Gray's Road, the Queen Elizabeth Way and the Burlington Canal.

BASIS

This Amendment is intended to provide a basis for:

- the implementation of the Hamilton Beach Concept Plan; and,
- a change to Special Policy Area 10 by deleting those policies which have become redundant as a result of the completion of the Hamilton Beach Concept Plan and Confederation Park Master Plan.

ACTUAL CHANGES

1. Schedule "A" - Land Use Concept be revised by redesignating a portion of the Hamilton Beach area from "Open Space" to "Residential", as shown on the attached Schedule "A".
2. Schedule "B" - Other Special Policy Areas be revised by deleting a portion of the subject lands from Special Policy Area 10a, as shown on the attached Schedule "B" of this Amendment.
3. Revise Policy A.2.9.3.8. by deleting it in its entirety and replacing it with a new policy which reads as follows:  
  
"Within SPECIAL POLICY AREAS 10 AND 10a, identified on Schedule "B", the following policies will apply:  
  
i) Within SPECIAL POLICY AREA 10, Council will ensure that appropriate shoreline protection measures as may be prescribed by the Ministries of Natural Resources and the Environment will be taken to mitigate flooding, erosion and pollution.

- ii) In accordance with the Hamilton Beach Concept Plan, SPECIAL POLICY AREA 10a applies to the lands located on both sides of Beach Boulevard between Kirk Road and Arden Avenue. Townhouses, low rise apartments, and mixed commercial/residential uses will be encouraged to locate within this area."

IMPLEMENTATION

The provisions of Section D - Implementation, as amended, will apply to the implementation of this Amendment.

This is Schedule 1 to By-law No. 88-\_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 1988.

THE CORPORATION OF  
THE CITY OF HAMILTON

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

CL-M:CS



official plan  
for the  
city of hamilton

area to be changed from:

**"Open Space" to "Residential"**

DEFERRED NO D-6  
UNDER SECTION 14(3) OF  
THE PLANNING ACT



legend

1. *What is the purpose of the study?*  
 2. *What are the research objectives?*  
 3. *What is the research design?*  
 4. *What are the data sources?*  
 5. *What are the data collection methods?*  
 6. *What are the data analysis methods?*  
 7. *What are the findings?*  
 8. *What are the conclusions?*  
 9. *What are the implications?*  
 10. *What are the limitations?*  
 11. *What are the future research directions?*  
 12. *What are the references?*

## Schedule A

- to the official plan for



# schedule B amendment no. 62

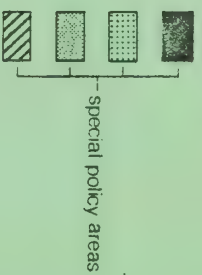
to the  
official plan  
for the  
city of hamilton

date	drawn by	reference file no.
Sep 1, 1988	G.G.	6 - 2 - 62

Special policy area 10a refer to  
policy A.2.9.3.6.  
Delete from Special Policy Area 10



legend



## special policy areas

AREA	REFER TO POLICY
1(a)	A.2.9.1.
1(b)	A.2.9.1.
2	A.2.9.2.
3	A.2.9.3.
4	A.2.9.3.1.
5	A.2.9.3.2.
6	A.2.9.3.3.
7	A.2.9.3.4.
8	A.2.9.3.5.
9	A.2.9.3.6.
10	A.2.9.3.7.
11	A.2.9.3.8.
12	A.2.9.3.9.
13	A.2.9.3.10.
14	A.2.9.3.11.
15	A.2.9.3.12.
16	A.2.9.3.13.
17	A.2.9.3.14.
18	A.2.9.3.15.
19	A.2.9.3.16.
20	A.2.9.3.17.
21	A.2.9.3.18.
22	A.2.9.3.19.
23	A.2.9.3.20.
24	A.2.9.3.21.
25	A.2.9.3.22.
26	A.2.9.3.23.
27	A.2.9.3.24.
28	A.2.9.3.25.
29	A.2.9.3.26.
30	A.2.9.3.27.
31	A.2.9.3.28.
32	A.2.9.3.29.
33	A.2.9.3.30.
34	A.2.9.3.31.
35	A.2.9.3.32.
36	A.2.9.3.33.
37	A.2.9.3.34.
38	A.2.9.3.35.
39	A.2.9.3.36.
40	A.2.9.3.37.

schedule B  
to the official plan  
for  
the city of hamilton

88 03 24

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA WEST OF UPPER WENTWORTH STREET  
AND NORTH OF STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

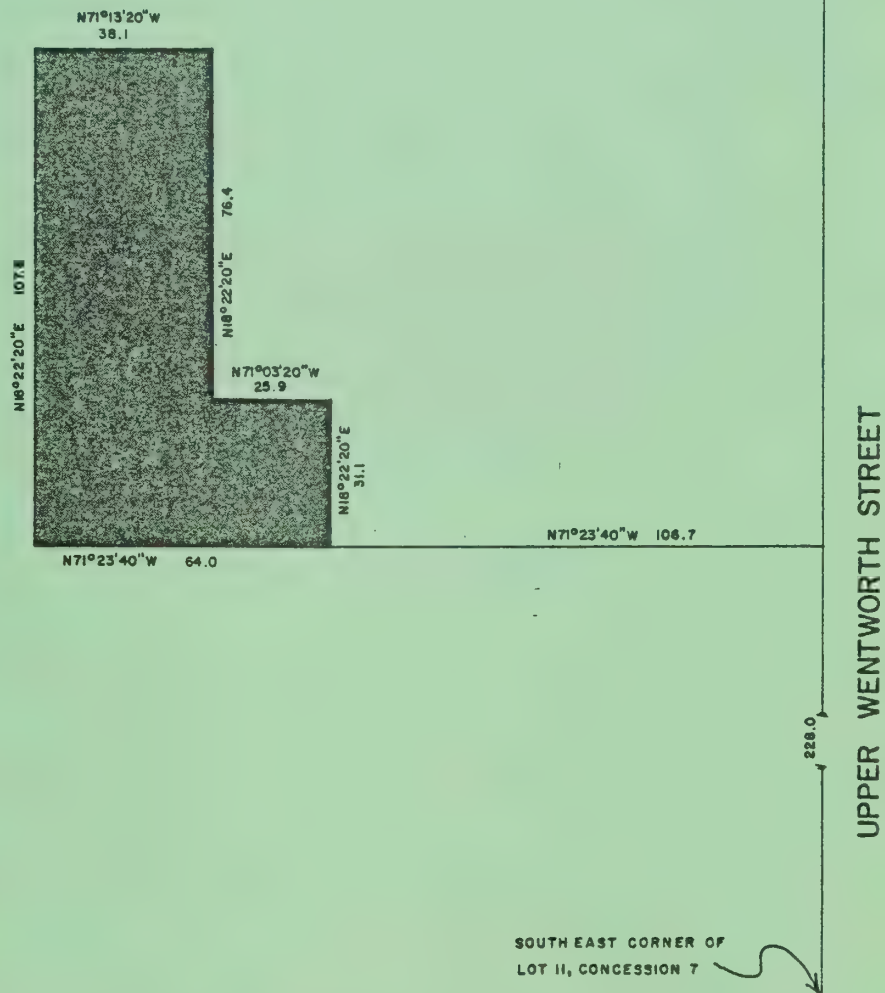
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

(1988) 21 R.P.D.C. 10, October 25  
Westmount Homes, Owner  
ZA-88-63



STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 88-.....  
Passed the ..... day of ....., 1988.

.....  
Clerk

.....  
Mayor

City of Hamilton

Schedule A

Map Forming Part of  
By-Law No. 88-.....

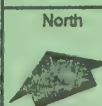
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Change in Zoning from "AA" (Agricultural)  
District to "C" (Urban Protected Residen-  
tial, etc.) District



Scale  
NOT TO SCALE

Date  
October 1988

Reference File No.  
ZA 88-63

Drawn By  
A.P.

The Corporation of the City of Hamilton

BY-LAW NO.

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF UPPER OTTAWA STREET,  
SOUTH OF TURNBRIDGE CRESCENT  
MUNICIPALLY KNOWN AS NO. 1446 UPPER OTTAWA STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

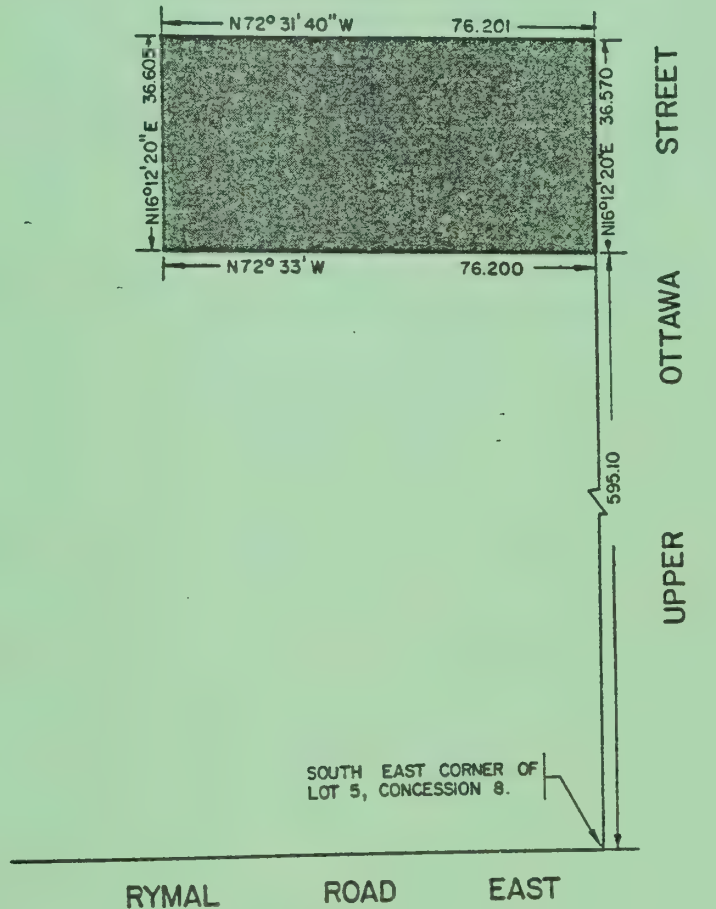
PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

(1988) 21 R.P.D.C. 9, October 25  
Janet and Jack Tarbutt, Owners  
ZA-88-61





NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 - \_\_\_\_\_  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON  
SCHEDULE "A"**

MAP FORMING PART OF  
BY-LAW N°88-\_\_\_\_\_

TO AMEND BY-LAW N° 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**



CHANGE IN ZONING  
FROM "AA" (AGRICULTURAL) DISTRICT  
TO "C" (URBAN PROTECTED RESIDENTIAL  
etc.) DISTRICT.

North



Scale  
NOT TO SCALE

Date  
OCT. 27, 1988

Reference File No.  
ZA-88-61

Drawing No.  
A.S.



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF  
MUNICIPAL NO. 635 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

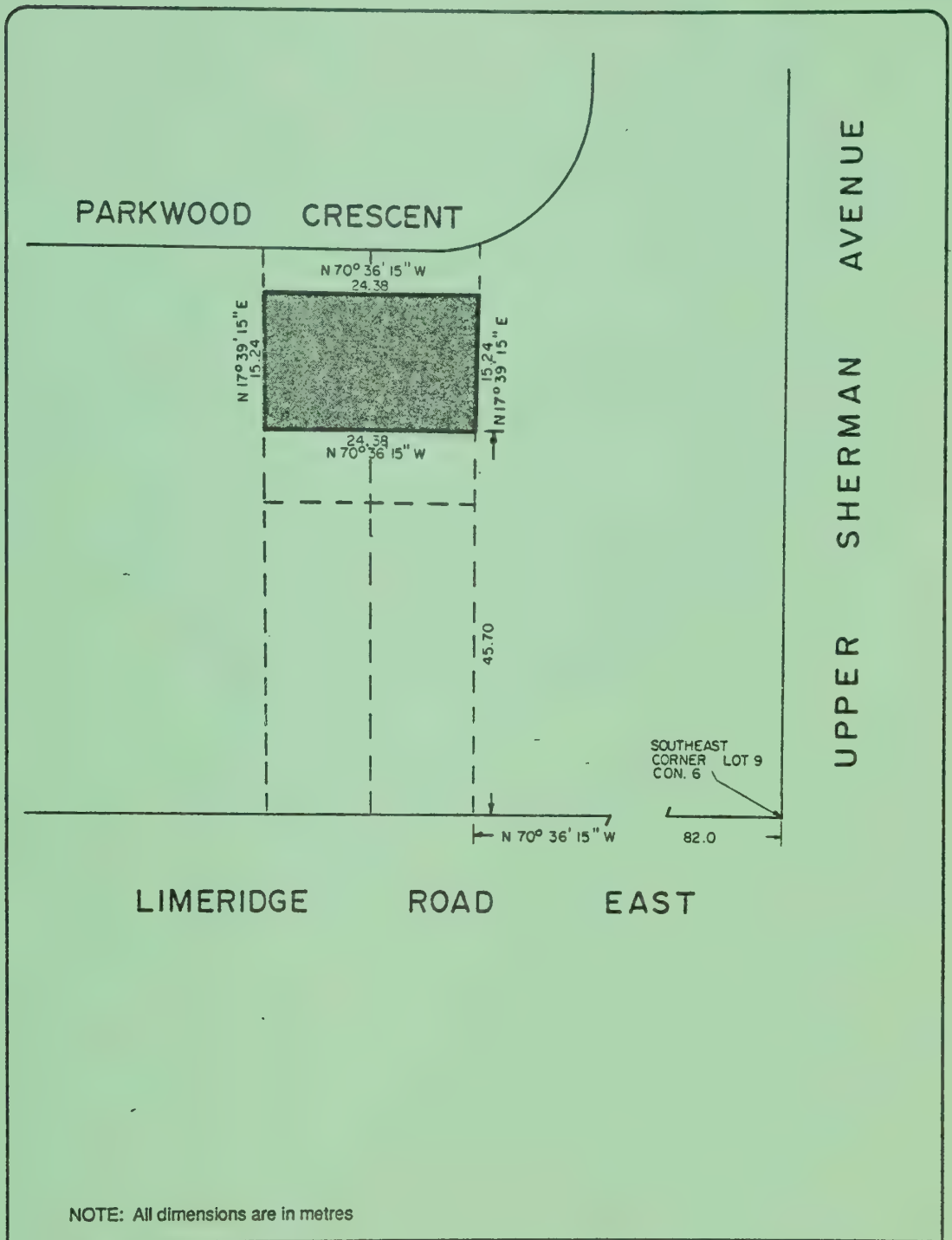
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1988.

City Clerk

Mayor

(1988) 22 R.P.D.C. 10, November 8  
Mr. and Mrs. L. D'Angelo, Owners  
ZA-88-74



NOTE: All dimensions are in metres


This is Schedule "A" to By-Law No. 88-.....  
 Passed the ..... day of ..... , 1988.


.....  
 Clerk

.....  
 Mayor

City of Hamilton  
**Schedule A**  
 Map Forming Part of  
 By-Law No. 88-.....  
 to Amend By-Law No. 6593  
 Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

Legend

 Change in zoning from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district.

North 	Scale NOT TO SCALE	Reference File No. ZA 88 - 74
	Date November 8, 1988	Drawn By F.V.

The Corporation of the City of Hamilton

BY-LAW No. 88-

To Repeal By-law No. 88-161

and

To Amend:

Zoning By-law No. 6593

As Amended By:

Zoning By-law No. 80-107 and By-law No. 85-172

Respecting:

LANDS LOCATED AT  
MUNICIPAL NOS. 849 AND 853 UPPER WENTWORTH STREET

WHEREAS Section 14A of Zoning By-Law No. 6593, passed on the 25th day of July, 1950, and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), permits lands located in "HH" (Restricted Community Shopping and Commercial) Districts to be used for restaurant purposes;

AND WHEREAS By-law No. 80-107, passed by the Council of The Corporation of the City of Hamilton on the 8th day of April, 1980 and approved by the Ontario Municipal Board by Order dated the 17th day of September, 1980, amends Section 14A of By-law No. 6593 by prohibiting the use of lands, buildings or structures located on the East side of Upper Wentworth Street, South of Mohawk Road, for certain purposes including restaurant purposes;

AND WHEREAS By-law No. 85-172, passed by the Council of The Corporation of the City of Hamilton on the 27th day of August, 1985, further amends Section 14A of By-law No. 6593 by prohibiting the use of lands, buildings, or structures located at Municipal Nos. 841 and 849 Upper Wentworth Street, and lands located to the rear thereof, for certain purposes including restaurant purposes;

AND WHEREAS By-law No. 88-161, passed by the Council of The Corporation of the City of Hamilton, provided for a special requirement under Section 19B of By-law No. 6593 to permit the use of lands at Municipal Nos. 849 and 853 Upper Wentworth Street for restaurant purposes;

AND WHEREAS By-law No. 88-161 is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 57, passed by the Council of The Corporation of the City of Hamilton on the 10th day of May, 1988, but not yet approved by the Minister under the Planning Act at the time of the passing of By-Law No. 88-161.

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 11 of the 23rd Report of the Planning and Development Committee at its meeting held on the 29th day of November, 1988, directed that By-law No. 88-161 be repealed, and re-enacted.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 57, passed by the Council of The Corporation of the City of Hamilton on the 10th day of May, 1988, but not yet approved by the Minister under the Planning Act at the time of the passing of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-Law No. 88-161, being a by-law to amend Zoning By-law No. 6593, as amended by By-law No. 80-107 passed on the 8th day of April, 1980, and By-law No. 85-172 passed on the 27th day of August, 1985, with respect to the use of lands located at Municipal Nos. 849 and 853 Upper Wentworth Street, is hereby repealed.

2. The "HH" (Restricted Community Shopping and Commercial) District regulations contained in Section 14A of By-law No. 6593, as amended by By-laws No. 80-107 and 85-172, and applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the special requirement that,

(a) notwithstanding S. 2.1 of By-law No. 80-107 and notwithstanding S.2(a) (ii) 1. of By-law No. 85-172, the following,

(i) COMMERCIAL USE shall not be prohibited:

1. A restaurant.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" district provisions, subject to the special requirement referred to in Section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1075.

5. Sheet No. E-27 of the District Maps is amended by marking the lands referred to in Section 2 of this by-law, S-1075.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this            day of            A.D. 1988

City Clerk

Mayor

(1988) 23 R.P.D.C. 11, November 29  
(1988) 9 R.P.D.C. 2(b), April 26  
Joyce and Ernest Monkley, Owners  
ZA-86-62



N.W. CORNER OF  
LOT 10, CON. 6

UPPER WENTWORTH STREET

194.46 m.

32.77 m.

138.30 m.

N 71° 04' W

137.47 m. N 71° 04' W

32.76 m.

N 19° 51' E

MALL ROAD

THIS IS SCHEDULE "A" TO BY-LAW No. 88-  
PASSED THE DAY OF

Mayor

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

1974

LANDS TO BE REGULATED BY  
BY- LAW 88 -

Date  
APRIL, 1988

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT  
MUNICIPAL NOS. 872, 878, 882 AND 890 UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, and with the Official Plan as amended by Official Plan Amendment No. 67, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 88-262, passed on the 8th day of November, 1988, but not yet approved by the Minister under the Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) District provisions applicable to the lands referred to in section 1 are amended to the extent only of the following special requirements that,

(a) notwithstanding section 14A(1) of By-law No. 6593, the following,

(i) PUBLIC USES shall be prohibited:

- 1. A private club, lodge, fraternity or sorority house, or labour union hall.

(ii) COMMERCIAL USES shall be prohibited:

1. A restaurant or refreshment room.
2. An auctioneer's premises.
3. A tavern.
4. A billiard room, bowling alley, shooting gallery, penny arcade, public hall, music hall, theatre or other place of amusement.

(b) a landscaped area not less than 9.1 metres (30 feet) in width shall be provided and maintained along the westerly lot line adjacent to the Fieldway Drive extension;

(c) vehicular access along the westerly lot line shall be prohibited.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1096.

5. Sheet No. E-18 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1096.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law in accordance with the Planning Act, 1983.

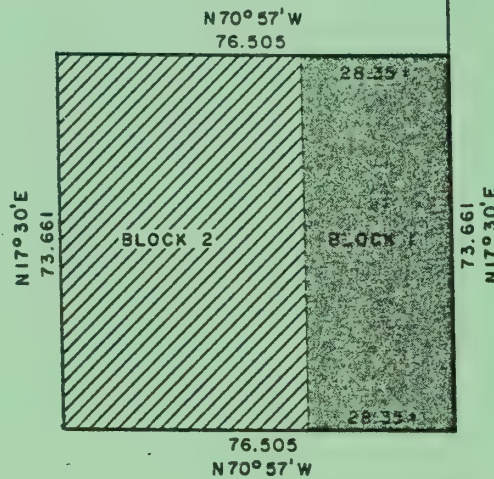
PASSED this            day of

A.D. 1988.

City Clerk

Mayor

(1988) 21 R.P.D.C. 12(b), October 25  
Barriview Developments Limited, Prospective Owner  
ZA-88-57



UPPER WENTWORTH STREET

FIELDWAY DRIVE

NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 88 -  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk



\_\_\_\_\_  
Mayor


**CITY OF HAMILTON**  
**SCHEDULE "A"**  
**MAP FORMING PART OF**  
**BY-LAW NO. 88-**  
**TO AMEND BY-LAW NO. 6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

CHANGE IN ZONING FROM:

-  "AA" (AGRICULTURAL) DISTRICT TO  
"HH" (RESTRICTED COMMUNITY SHOP-  
PING AND COMMERCIAL) DISTRICT,  
MODIFIED.
-  "C" (URBAN PROTECTED RESIDENTIAL,  
ETC.) DISTRICT TO "HH" (RESTRICTED  
COMMUNITY SHOPPING AND COMMER-  
CIAL) DISTRICT, MODIFIED.

North 	Scale NOT TO SCALE	Reference File No. ZA 88 - 57
	Date NOV. 18, 1988	Drawn By Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 88-

To Amend:

Zoning By-Law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1379-1383 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-Law No. 6953, passed on the 25th day of July, 1950, and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, and with the Official Plan as amended by Official Plan Amendment No. 60, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 88-223, passed on the 27th day of September 1988, but not yet approved by the Minister under the Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E9C of the District Maps, appended to and forming part of By-Law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "HH"-'H' (Restricted Community Shopping and Commercial) District, the land comprised in Block 1; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "HH"-'H' (Restricted Community Shopping and Commercial) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "HH"-'H' (Restricted Community Shopping and Commercial - Holding) District referred to in section 1 shall be subject to the special requirements that,

- (a) upon installation of all such municipal sewers as the City deems necessary, the 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Blocks 1 and 2 may proceed in accordance with the "HH" district provisions.



3. The "HH" (Restricted Community Shopping and Commercial) District provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding section 14A (1) (c) and section 14 (1) (xvii) of By-Law No. 6593, the storage of goods to be manufactured, assembled or sold upon the premises may occupy not more than fifty percent of the floor area.
- (b) notwithstanding section 14A (3) (a) of By-law No. 6593, a front yard of not less than 24.0 metres in depth shall be provided and maintained.
- (c) there shall be provided and maintained along the full length of the easterly rear lot line and the southerly side lot line,
  - (i) a planting strip not less than 3.0 metres in width, and;
  - (ii) a visual barrier not less than 1.2 metres in height and not greater than 2.0 metres in height.
- (d) there shall be provided and maintained along the northerly side lot line where it abuts a residential district,
  - (i) a planting strip not less than 1.5 metres in width, and;
  - (ii) a visual barrier not less than 1.2 metres in height and not greater than 2.0 metres in height.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1091.

6. Sheet No. E9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1091.

7. The City Clerk is hereby authorized and directed to proceed with the giving of the notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this                      day of                      A.D. 1988.

City Clerk

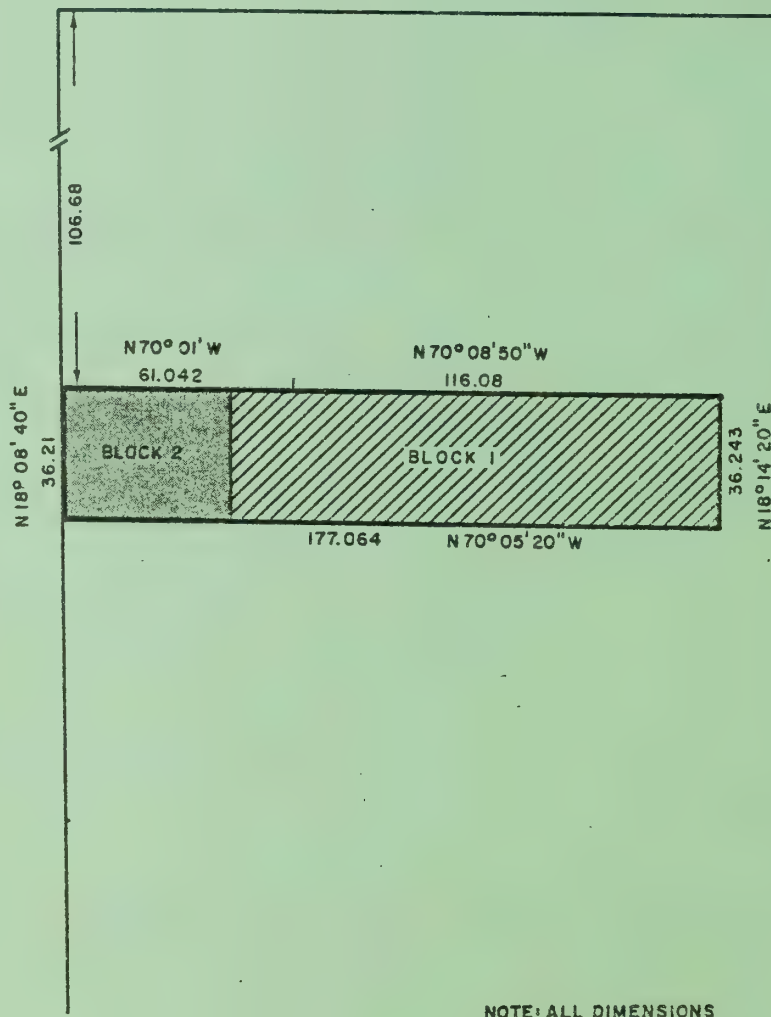
Mayor

(1988) 17 R.P.D.C. 18(b), August 30  
J. and A. Riccio Developments Ltd., Owner  
ZA-88-40



# STONE CHURCH ROAD EAST

UPPER JAMES STREET



NOTE: ALL DIMENSIONS  
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 83-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clark

\_\_\_\_\_  
Mayor

## CITY OF HAMILTON

### SCHEDULE "A"

MAP FORMING PART OF  
BY-LAW NO. 83-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

#### Legend

PROPOSED CHANGE IN ZONING FROM:



BLK. 1

"AA" (AGRICULTURAL) DISTRICT TO  
"HH"-H (RESTRICTED COMMUNITY  
SHOPPING AND COMMERCIAL) DIS-  
TRICT, MODIFIED.



BLK. 2

"C" (URBAN PROTECTED RESIDENTIAL,  
ETC.) DISTRICT TO "HH"-H (RESTRICTED  
COMMUNITY SHOPPING AND COM-  
MERCIAL) DISTRICT, MODIFIED.

North



Scale  
NOT TO SCALE

Date  
SEPT. 14, 1988

Reference File No.  
ZA-88-40

Drawn By  
Z. K.

CAY ON HBL AOS  
A31

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1988 December 13  
7:30 o'clock p.m.  
Council Chambers, City Hall

JT:mjw

## A G E N D A

1. Opening Prayer

Reverend Brian Burrows  
St. Peter's Anglican Church  
705 Main Street East

2. Presentation

Certificates of Recognition -

Dr. Christopher Bart  
H.E.C.F.I.

Lieutenant Colonel and Mrs. Stanley N. Preece  
Salvation Army

3. Minutes

1988 November 29  
1988 December 01

4. Correspondence





5. Reports of the Standing Committees - attached

- (a) Co-ordinating Committee
- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (e) Legislation Committee
- (g) Finance Committee

6. Notice of Motion for Next Meeting

7. First Reading of the Bills

8. Second Reading of the Bills - Committee of the Whole

9. Third Reading of the Bills

10. Question Period

11. Adjournment





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, NOVEMBER 29, 1988  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, McCulloch, Hinkley, Copps, Christopherson,  
Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray,  
Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

Father Fuzy, St. Cyril and Methodius Slovak Roman Catholic Church, led the Council in prayer.

The minutes of the meeting of November 8, 1988, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Hamilton & District Senior Citizens Home "Rambynas" Incorporated, 1880 Main St. West, Hamilton, Ontario, for a modification to the zoning for property located at 1880 Main Street West, dated November 9, 1988.
2. Application from Mr. Jerome Calzonetti, c/o 867 Rymal Road East, Hamilton, Ontario, for a change in zoning, property located at 829, 837, 845 and 867 Rymal Road East, dated November 11, 1988.
3. Application from Wellington Chase Inc., 100 Main Street East, M.P.O. Box 2069, Hamilton, Ontario, for a change in zoning, property located at Nos 3 and 7 Bonaparte Road, dated November 16, 1988.
4. Application from Wentwal Developments Inc., 100 Main Street East, M.P.O. Box 2069, Hamilton, Ontario, for a further modification to the zoning for property located at 401 Rymal Road East, dated November 16, 1988.
5. Application from Frank Bottega and Jackueline Bottega, 1412 Upper Gage Avenue, Hamilton, Ontario, for a change in zoning, property located at 1412 Upper Gage Avenue, dated November 17, 1988.
6. Application from Me. Leonardo M. Cascioli, 140 Eastbourne Avenue, Hamilton, Ontario, for a modification to the zoning, property located at 29 Severn Street, dated November 21, 1988.
7. Application from Shabbir Khan, 1810 Barton Street East, Hamilton, Ontario, for a change in zoning, property located at 574 to 576 Queen Victoria Drive, dated November 22, 1988.
8. Application from Tamlann Investments Ltd., P.O. Box 6098, Station "F", Hamilton, Ontario, for a modification to the zoning, property located at 1368 Upper Gage Avenue, dated November 25, 1988.

9. Application from DiMarcantonio Industries, A division of 162326 Canada Inc., 26 Arrowsmith Road, Hamilton, Ontario, for a modification to the zoning, property located at 26 Arrowsmith Road, dated November 25, 1988.
10. Application from Mr. Carlo Del-Sordo, 35 Lawfield Drive, Hamilton, Ontario, for a modification to the zoning, property located at 1249 Stone Church Road East, dated November 25, 1988.
11. Acknowledgment of floral tribute to the late David T. Lawrence from Peter, Lorraine, Stephen and Margaret Lawrence. NOTED.

\*\*\*\*\*

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Cowell in the chair.

\*\*\*\*\*

(A) EXECUTIVE COMMITTEE - TWENTY-FIRST REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 14.

NAYS: Alderman Merling. - 1. CARRIED.

\*\*\*\*\*

It was moved by Alderman Christopherson and seconded by Alderman McCulloch.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider the addition of a section to the TWENTY-FIRST Report of the Executive Committee regarding the selection and appointment of citizen members to the Licensing Committee. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Christopherson and seconded by Alderman McCulloch.

RESOLVED: that the following be added as Section 7:

"7. That, in order for the new Licensing Committee to be installed as soon as possible, the Co-Ordinating Committee be requested to schedule citizen interviews for the Licensing Committee at the same time as for the H.E.C.F.I. and that staff prepare the

appropriate By-law for the December 13th  
meeting of City Council. - CARRIED.

\*\*\*\*\*

(C) PARKS AND RECREATION COMMITTEE - TWENTIETH REPORT.

The recommendation of the Executive Committee on Section 3  
was carried.

\*\*\*\*\*

(C) PARKS AND RECREATION COMMITTEE - TWENTY-FIRST REPORT.

\*\*\*\*\*

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWENTY-THIRD REPORT.

It was moved by Alderman Smith and seconded by Alderman Ross.

RESOLVED: that Section 9 be amended by adding the following  
after the third paragraph of the NOTE:

"All terms and conditions to be the same and  
time continues to be of the essence." - CARRIED.

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Ross.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be  
invoked for this meeting of City Council in  
order to permit consideration of a resolution  
respecting a demolition permit application. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Ross.

RESOLVED: that the following be added as Section 13.

"13. That the Building Commissioner be  
authorized to issue a demolition  
permit for the demolition of property  
at 163 Centennial Parkway North." - CARRIED.

\*\*\*\*\*

(F) PERSONNEL COMMITTEE - THIRTEENTH REPORT.

\*\*\*\*\*

It was moved by Alderman Wheeler and seconded by Alderman Wmth.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-26, A-27,  
C-4,  
D-133, D-134, D-135, D-136, D-137, D-138,  
D-139 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Bills, with Alderman Cowell in the chair.

A-26, A-27,  
C-4,  
D-133, D-134, D-135, D-136, D-137, D-138,  
D-139 - CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading)

\* \* \* \* \*

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time:

A-26, A-27,  
C-4,  
D-133, D-134, D-135, D-136, D-137, D-138,  
D-139.



YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch,  
Hinkley, Copps, Christopherson, Agostino,  
Wheeler, Smith, Cowell, Gallagher, Merling,  
Murray, Ross. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

City Council adjourned at 8.45 o'clock, p.m.

\* \* \* \* \*





INAUGURAL MEETING OF HAMILTON CITY COUNCIL  
THURSDAY, DECEMBER 1, 1988  
7:00 O'CLOCK, P.M.

Council met pursuant to Statute.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury,  
Copps, Christopherson, Agostino, Lombardo, Smith, Jackson,  
Merling, Gallagher, Ross, Murray.

The Clerk read the following certificate of the results of the Municipal  
Election:-

To the Council of The Corporation of the City of Hamilton.

Members of Council:-

I, EDWARD A. SIMPSON, Clerk of the City of Hamilton, do hereby  
certify that on the 14th day of November, 1988, the following named were  
elected members of the City Council by a majority of votes:

MAYOR: Bob Morrow

ALDERMEN: Ward 1 Terry Cooke  
Mary Kiss

Ward 2 Vince Agro  
Bill McCulloch

Ward 3 Brian Hinkley  
Don Drury

Ward 4 Geraldine (Gerry) Copps  
David Christopherson

Ward 5 Dominic Agostino  
Fred Lombardo

Ward 6 John Smith  
Tom Jackson

Ward 7 Henry Merling  
John Gallagher

Ward 8 Don Ross  
Tom Murray

E. A. Simpson,  
City Clerk.

His Worship Mayor Robert M. Morrow subscribed to the Declaration of Office  
and the Oath of Allegiance before His Honour Judge Joseph C. Scime of the  
District Court of Ontario, followed by the Aldermen.

Most Reverend Matthew Ustrzycki, Auxiliary Roman Catholic Bishop of Hamilton,  
led the Council in prayer.

The Most Reverend John C. Bothwell, Anglican Metropolitan of Ontario, Bishop  
of Niagara, led the Council in the closing prayer.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman Henry Merling be appointed Acting Mayor for the  
month of December, 1988. - CARRIED.

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Report, with Alderman Merling in the chair.

\*\*\*\*\*

(N) NOMINATING COMMITTEE TO RECOMMEND THE APPOINTMENT OF MEMBERS OF COUNCIL TO VARIOUS BOARDS AND COMMITTEES - FIRST REPORT.

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above report, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bill be now read a first time.

N-1 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bill, with Alderman Merling in the chair.

N-1.

\*\*\*\*\*

Consideration of the Bill (second reading).

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bill be now read a third time.

N-1

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

\*\*\*\*\*

City Council adjourned at 8.20 p.m.

\*\*\*\*\*







## REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its FIRST Report for 1989 and respectfully recommends:

1. That the construction of storm water control dams in the Chateau Court - Scenic Drive area and the Stone Church Road - Dartnall Road area and the interception of storm drainage in the area of Chedoke Golf Course be proceeded with at an estimated gross cost of \$180 000 as provided for in the 1988 Portion of the 1988-1992 Capital Project, and be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: These dams will provide flood control by restricting the flow of storm water during heavy runoff periods. In addition, the dams will regulate the flow of water to prevent damage to properties downstream from the projects.

The installation of four catch basins and associated drains will alleviate a flooding problem which occurs after heavy rainfall periods in the area of the Chedoke Golf Course.

The Transport and Environment Committee approved this project at its meeting on December 5, 1988.

2. That the increased costs in the amount of \$68 000 from \$377 000 to \$445 000 for the extension of Bow Valley Drive to Queenston Road as provided for in the 1988 Portion of the 1988-1992 Capital Budget be approved and financed from the 1988 Capital Levy, Account No. 0376-0298.

NOTE: The Capital Budget includes an item for the increased costs necessary for the construction of the roadway, sidewalks and curbs on the extension of Bow Valley Drive to Queenston Road. The project was first estimated in late 1985 and since then increases have occurred in the construction industry. It is anticipated that all the land necessary for the road allowance will be acquired by mid December with construction on the sewers and watermains commencing in February or March 1989 and the roadwork as soon as possible after this work is complete.

The Transport and Environment Committee approved this increase at its meeting on December 5, 1988.

3. (a) That the construction of an independent concrete sidewalk on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue including the modifications to the roadway and sidewalk in the bus bay area approximately 150m north of the intersection of Rice Avenue and Sanatorium Road as a local improvement pursuant to Section 11 of The Local Improvement Act be proceeded with at an estimated owner's share of \$18,171.20 as well as the City's share of \$36,828.80 for a gross cost of \$55,000. as provided for in the 1988 Portion of the 1988-1992 Capital Budget.
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of this project at an estimated gross cost of \$55,000 by issuance of debentures totalling \$55,000 for a period not to exceed 15 years, and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$55,000 for a period not to exceed 15 years for this project.
- (c) That the Commissioner of Engineering be authorized and directed to construct these works once all necessary approvals have been received.

NOTE: The City received a request from Chedoke-McMaster Hospitals for the construction of an independent concrete sidewalk on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue.

In addition, modifications to the roadway and sidewalk area in the vicinity of a bus bay approximately 150m north of the Sanatorium Road - Rice Avenue intersection are required to reduce the length of a crosswalk which is a problem for pedestrians. These modifications will be 100% City's cost.

The Transport and Environment Committee approved this project at its meeting on December 5, 1988.

4. (a) That interim funds not to exceed \$200 000 be provided to the Municipal Non-Profit (Hamilton) Housing Corporation to cover the costs of demolition of the Wentworth Street School, security and outstanding work required for the site, as a result of the fire.
- (b) That the funds be provided on an interim basis from the Reserve for Capital Projects, Account 0280-27, and the Treasurer be authorized to record this amount as an account receivable to be recovered from the Royal Insurance Company at the earliest possible date.

NOTE: As a result of the Wentworth Street School fire on December 3, 1988, immediate demolition and security protection of the site was required. Demolition was ordered by the Building Commissioner since the building was structurally unsafe. Security has also been provided on the front and back of the building to protect residents from any possible injuries. It is proposed that security will be maintained on site until demolition is completed and the basement area is filled and levelled.

The Insurance Company for the project, Royal Insurance, is currently investigating the fire, however, no funds are expected until the claim has been settled. Mortgage funds are also not available, since outstanding funds have been frozen, as a result of the fire.

These costs will be repaid to the City at such time that the insurance claim is settled and funds are advanced to the Municipal Non-Profit (Hamilton) Housing Corporation.

5. That Alderman D. Ross and Mr. L. Sage be appointed to the Hamilton Brier Inc.

NOTE: With the adoption of Section 1 of the Seventeenth Report of the Executive Committee, City Council at its meeting on September 27, 1988, endorsed the application of the 1991 Labatt Brier Hamilton Bid Committee to hold the 1991 Labatt Brier in Hamilton.

In addition, City Council agreed that subject to the Canadian Curling Association awarding the 1991 Labatt Brier to Hamilton, it would provide a \$100 000 interest free loan, a \$50 000 letter of credit or guarantee, and a \$20 000 grant to the Organizing Committee.

These commitments were made on the understanding that a form of agreement satisfactory to the City Solicitor and City Treasurer would be entered into between the City and the Brier Corporation with respect to the advancement and repayment of these funds.

A further condition was that a member of City Council and a member of the civic administration be appointed to the Brier Corporation to provide for, among other things, liaison between the Corporation and the City.

6. That leave be granted to introduce the following Bills:

- (a) Bill A-1      A By-law to Appoint Persons to Various Boards  
and Committees.
- (b) Bill A-2      A By-law to Confirm the Proceedings of the  
Council of the Corporation of the City of  
Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
CO-ORDINATING COMMITTEE

J. J. Schatz  
Secretary  
1988 December 08  
/bc







## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FIRST Report for 1989 and respectfully recommends:

1. (a) That the City of Hamilton contribute \$64 750 to Third Sector Employment Enterprises to assist in offsetting their projected 1988 budget deficit.
- (b) That Third Sector Employment Enterprises undertake an operations study of its existing operation in concert with Ontario Multi-Material Recycling Inc. and Canadian Tinplate Recycling Council, to improve the operation and service to area residents.
- (c) That the \$64 750 be financed from any surplus funds in balancing the 1988 accounts in the Public Works Department at the end of 1988. In the event that sufficient surplus funds are not available, then the Treasurer should recommend the method of financing.

NOTE: This contribution of \$64 750 by the City of Hamilton is based on the existing cost sharing formula with the Region of Hamilton-Wentworth paying 50% and the Area Municipalities matching the remaining 50% by prorating the cost according to the tonnage of recycled material.

2. That purchase orders be issued for the Rental of Snow Removal Equipment and Labour in accordance with Vendors' quotations appended hereto as Appendix "A".
3. That a purchase order be issued to Petrovich-Kaminski Aggregates Inc., Cambridge for the supply and delivery of Screened Sand, Treated and Untreated, as and when required during the 1988-1989 winter season, in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's tender, as follows:

Treated Sand - Delivered \$14.13 per tonne; Picked up \$10.29 per tonne  
Untreated Sand - Delivered \$7.40 per tonne; Picked up \$3.85 per tonne

NOTE: Lowest of four (4) tenders received. Funds provided in Stock Account No. 0393-3323.

As this material could be required before the next meeting of Council, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

4. That a purchase order be issued to Domtar Inc., Toronto for the supply and delivery of Sodium Chloride as and when required during the 1988-1989 winter season, in accordance with specifications issued by the Coordinator of Regional Purchasing and Vendor's tender, as follows:

Price per tonne - \$29.70 based on 22.5 tonne truck loads

Price per tonne - \$103.95 based on 40 kg. bags, minimum 780 bags per load

NOTE: Lowest of three (3) tenders received. Funds provided in Stock Account No. 0393-3323.

As this material could be required before the next meeting of Council, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

5. (a) That the Director of Public Works be authorized and directed to take the necessary steps and obtain the necessary permit for the demolition of the four salt silos in District 2 (Ferguson Avenue) Yard.

- (b) That the estimated cost of this work of \$42 000 be charged to:

Account No. 0350-0336 (District Yard Maintenance - Repairs & Maintenance - Specific Major Repairs) - \$28 000

Account No. 0350-0332 (District Yard Maintenance) - Grounds Maintenance - \$14 000

- (c) That a Purchase Order be issued to Meszaros Wrecking, Brantford in the amount of \$37 800 for the Demolition of the four Salt Silos at 302 Ferguson Avenue North, Hamilton, in accordance with specifications issued by the Real Estate Division, Property Department and Vendor's tender.

NOTE: As this work is to be completed immediately, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

6. (a) That an Offer to Purchase an Easement through that closed portion of Beach Road east of Kenilworth Avenue North executed by Ontario Hydro on September 22, 1988 and closing on or before March 31, 1989 be approved and completed.
- (b) That the Mayor and City Clerk be authorized to execute the Easement Agreement subject to the said Agreement being in a form satisfactory to the City Solicitor.

NOTE: The subject easement comprises a strip of land being part of Lot 1, Concession 1 in the geographic Township of Barton, now the City of Hamilton. The subject easement contains 35.9 square metres (117.8 square feet) as shown as Part 3 on Plan 62R-9714; and is for the access to and maintenance of the electrical transmission lines thereto. The purchase price to be \$650 to be credited to Account No. 0306-0513.

7. (a) That an Offer to Purchase Tender Form executed by Tony DiFranco on November 18, 1988 and scheduled for closing on or before March 16, 1989, be approved and completed.

NOTE: This property which is surplus to municipal requirements has a frontage along the easterly limit of Elmore Drive of 10.373 metres (34.03 feet) by a depth of 36.56 metres (119.9 feet) shown as Part 6 of Plan 62R-8311 Surveys. The purchase price of \$42 500 is to be credited to Account No. 0280-02. A certified deposit cheque in the amount of \$4 250 is being held by the City Treasurer pending approval of this transaction.

- (b) That an Offer to Purchase Tender Form executed by Tony DiFranco on November 18, 1988 and scheduled for closing on or before March 16, 1989 be approved and completed.

NOTE: This property which is surplus to municipal requirements has a frontage along the easterly limit of Elmore Drive of 10.373 metres (34.03 feet) by a depth of 36.56 metres (119.9 feet) shown as Part 7 of Plan 62R-8311 Surveys. The purchase price of \$42 500 is to be credited to Account No. 0280-02. A certified deposit cheque in the amount of \$4 250 is being held by the City Treasurer pending approval of this transaction.

- (c) That an Offer to Purchase Tender Form executed by Tony DiFranco on November 18, 1988 and scheduled for closing on or before March 16, 1989, be approved and completed.



NOTE: This property which is surplus to municipal requirements has a frontage along the westerly limit of Upper Gage Avenue of 18.292 metres (60 feet) by a depth of 36.569 metres (19.97 feet) shown as Parts 4 and 5 of Plan 62R-8311 Surveys. The purchase price of \$56 000 is to be credited to Account No. 0280-02. A certified deposit cheque in the amount of \$5 000 is being held by the City Treasurer pending approval of this transaction.

In consideration for the transfer of Parts 4 and 5, Plan 62R-8311 by the City to the Purchaser, the Purchaser covenants and agrees to and with the City that in addition to the payment of the sale price to the City, that:

- i. The Purchaser shall not apply for consent to sever the land described as Parts 4 and 5, Plan 62R-8311.
- ii. The Purchaser shall not subdivide or apply to subdivide any portion of the land described as Parts 4 and 5, 62R-8311.
- iii. The Purchaser acknowledges that he has purchased this land for development as a complete parcel and that it has not been purchased for the purpose of dividing it into separate parcels (such as Parts 4 and 5 for re-sale to the adjacent owners), or for any other kind of divided development.
- iv. The Purchaser agrees that if he constructs or develops on the land in any manner, he shall develop the land and/or build on the land (known as Parts 4 and 5, 62R-8311) as one parcel of land.
- v. The Purchaser agrees with the City that it is not appropriate for planning reasons for this property (Parts 4 and 5, 62R-8311) to be developed other than as one building lot.
- vi. The Purchaser agrees that the provisions of this Schedule "A" shall not merge on the closing of the City's sale of Parts 4 and 5 to the Purchaser but shall continue in full force and effect to bind the Purchaser and to benefit the City.

The final grades of the lots will be in accordance with grading Plan 87-M-8, to the satisfaction of the Regional Commissioner of Engineering.

All roof water leaders are to be connected to the storm sewer.



8. (a) That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and David Fong and Alice Fong for the collection of garbage at 515 Queen Victoria Drive, Hamilton.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.

- (b) That the Mayor and City Clerk be authorized to execute a discharge of the previous Garbage Collection agreement for this property with 515 Queen Victoria Drive Ltd.

9. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Applegarth Co-operative Homes Inc. for the collection of garbage at 48 Coroga Court.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.

10. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Los Andes of Hamilton Co-operative Inc. for the collection of garbage at 605 Stone Church Road East.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.

11. That the City Solicitor be authorized and directed to prepare a By-law to incorporate parts of Block 146 and all of Block 147, Plan 62M-502 and all of Block 124, Plan 62M-516 of Regional Municipality of Hamilton-Wentworth Plans RAH-456 and RAH-457 Surveys, respectively, into Brigade Drive.

NOTE: All costs for services have been paid by both the City of Hamilton and the Region of Hamilton-Wentworth.

12. That the application of Mr. Norman Watson, Solicitor on Behalf of the present owner of 355-359 Cannon Street East, Messrs. Thomas and Brian Mildren to retain the inadvertent encroachment consisting of an existing building measuring 16.19m by 0.309m (53'1/8" x 1'1/8"), be approved during the pleasure of City Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$46 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.
13. That the application of Mr. Joseph McLaren, Solicitor on behalf of the present owner of 66 Argyle Avenue, to retain the inadvertent encroachment on Agnes Street consisting of a building measuring 3.24m x 0.31m and a wood deck measuring 1.71m x 0.08m, be approved during the pleasure of Council, provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.
14. That the application of Mr. Nicholas J. Zaffiro, Solicitor on behalf of the present owner of 220 Emerald Street North, to retain the inadvertent encroachment consisting of a concrete stoop measuring 8.75 feet x 0.25 feet be approved during the pleasure of Council, provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.

15. That the application of Mr. Lawrence S. Wong, Solicitor on behalf of the present owner of 1123 Main Street East, to retain the inadvertent encroachment consisting of a two-storey building measuring 2.99m x 0.095m, be approved during the pleasure of Council, provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$125 subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.
16. (a) That the "Canadian Diabetes Association - Hamilton District Branch" be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, November 13, 1989 to Monday, November 20, 1989 subject to the policy guidelines and conditions approved by Council, with the following message:

"November Is Diabetes Month  
Please Give - 385-3535"

- (b) That the "Hamilton Boat Show" be permitted to display a promotional banner across Main Street West, in front of City Hall, from Monday, February 13, 1989 to Monday, February 20, 1989 subject to the policy guidelines and conditions approved by Council, with the following message:

"Power Boat Show  
Hamilton Convention Centre  
Thursday, Friday, Saturday and Sunday  
Third Annual

- (c) That the City of Hamilton Public Works Department be permitted to display a promotional banner across Main Street West, in front of City Hall, from Monday, December 11 to Monday, December 25, 1989, subject to the policy guidelines and conditions approved by Council, with the following message:

"Don't Be Slow ... Clear Your Snow"

- (d) That the "Easter Seals Committee 1989" be permitted to display a promotional banner across Main Street West, in front of City Hall, from March 13, 1989 to March 20, 1989, subject to the policy guidelines and conditions approved by Council, with the following message:

"Back A Fighter With Easter Seals"

17. That the application of Dofasco Inc., to temporarily change Depew Street from a two-way Street to a one-way Street, between Burlington Street and Gertrude Street, on December 18, 1988 from 8:00 a.m. to 5:00 p.m. to facilitate their "Annual Christmas Party", be approved subject to the following conditions:
- (a) That the applicant obtain "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group.
  - (b) That clean-up of the Street will be carried out immediately following the event at the expense of the organizing group.
  - (c) That the organizing group shall provide public liability insurance in the amount of \$1 000 000 naming the City as an added insured party with a provision for cross liability and shall hold the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (d) That no resident within the barricaded area will be denied access to their residence, upon request.
18. (a) That the City's share of costs for the authorized repair of existing mountable curb along Upper Horning Road, prior to sidewalk installation within "Hillside Terrace - Phase 2", be appropriated for a total amount of \$1 925.
- (b) That the Executive Committee recommend the source of funding for these costs.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S COSTS OF SERVICES IN THE AMOUNT OF \$1 925 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.



19. (a) That the City's share of the cost of curbs, sidewalks and final roads as adopted by City Council on August 30, 1988 as Item 28 of Report 12-88 of the Transport and Environment Committee for "Leggett Crescent" be increased by \$7 455.45 to \$20 365.45; and
- (b) That the Executive Committee recommend the source of funding for these additional costs.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE ADDITIONAL FUNDING REQUIRED FOR THE CITY'S COST OF SERVICES IN THE AMOUNT OF \$7 455.45 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

20. (a) That the submitted schedules for the estimated cost of services in the amount of \$196 119.51 for Severance Application H-150-88, which is located south of Stone Church Road and east of Upper Wellington Street, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Modified Subdivision Agreement with the owner;
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Modified Subdivision Agreement has been registered;
- (c) That in the event that Subdivider wishes to proceed prior to the registration of the Modified Subdivision Agreement, he be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing;
- (d) That the City Solicitor be authorized and directed to prepare the appropriate By-law(s) to establish Parts 7, 9 and 10 on the Reference Plan as prepared by J. P. Nouwens, O.L.S., as a City road allowance. The said By-law(s) for these lands is (are) to be registered following the registration of the Modified Subdivision Agreement for Severance Application H-150-88, Upper Wellington Street, Hamilton;
- (e) That the City Solicitor be directed to apply to the Regional Municipality of Hamilton-Wentworth for approval to establish the extension of Dragoon Drive (Parts 7, 9 and 10 on the Reference Plan as prepared by J. P. Nouwens, O.L.S.), pursuant to Section 48(3) of The Regional Municipality of Hamilton-Wentworth Act;
- (f) That the City Solicitor be instructed to accept the deeds for Parts 7, 9 and 10 on the Reference Plan as prepared by J. P. Nouwens, O.L.S., for roadway purposes in accordance with the approval of the severance;



- (g) That the City Solicitor be authorized and directed to prepare the appropriate By-law(s) to incorporate the 0.30m reserves known as Block "72" on Plan 62M-577 into the Brigade Drive and Bonaparte Way road allowances and Block "118" on plan known as "Wellington Chase - Phase 3" into the Dragoon Drive road allowance once this plan is registered; and
- (h) That the City's share of the cost of services for the development (\$9 946.26) be approved, and that the Executive Committee recommend the source of funding for this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S  
COST OF SERVICES IN THE AMOUNT OF \$9 946.26 BE FINANCED  
FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH  
UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

- 21. (a) That the submitted schedules for the estimated cost of services in "Clerico Court", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement. These lands are located south of King Street East and West of Mount Albion Road. The total estimated City servicing costs for this development are \$81 732.50;
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered;
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing; and
- (d) That the City's share of the cost of services for the development (\$11 557) be approved, and that the Executive Committee recommend the source of funding for the project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S  
COST OF SERVICES IN THE AMOUNT OF \$11 557 BE FINANCED  
FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH  
UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

22. (a) That the appropriation for the City's share in the amount of \$21 079 as adopted by City Council on January 28, 1986 as Item 14(f) of the 3rd Report of the Transport and Environment Committee, for the cost of services for "Paradise Green" located north of Stone Church Road and West of Upper Paradise Road, be increased in the amount of \$19 278.51; and

(b) That the Executive Committee recommend the source of funding.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY'S  
COST OF SERVICES IN THE AMOUNT OF \$19 278.51 BE FINANCED  
FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH  
UNSUBDIVIDED LAND, ACCOUNT NO. 0280-12.

23. That the "Flat Rate" fee for the recovery of Municipal Service Costs associated with Reserves in the City of Hamilton, established under the policy adopted by City Council on September 30, 1986, remain at the present rate of \$305 per metre and stay in effect for the year of 1989.

24. (a) That a two (2) tonnes weight restriction be imposed on the Mountain Park Avenue Bridge over the Sherman Mountain Access.

(b) That City Traffic By-law 66-100 be amended accordingly.

25. (a) That the existing permit parking regulation on the west side of Lincoln Street commencing 54 feet north of Gordon Street and extending to a point 24 feet northerly therefrom and on the east side of Lincoln commencing 53 feet north of the north curb line of Gordon Street and extending to a point 20 feet northerly therefrom be rescinded; and

(b) That City Traffic By-law 66-100 be amended accordingly.

26. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of East 25th Street commencing a point 109 feet south of Franklin Road and extending to a point 80 feet southerly therefrom; and

(b) That City Traffic By-law 66-100 be amended accordingly.

27. (a) That a School Traffic Officer be assigned to the signalized intersection of Main Street East and Sherman Avenue.

(b) That the Finance Committee be requested to recommend the method of financing \$1 000 to assign a School Traffic Officer to this intersection for the remainder of 1988.

28. That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department;
- (a) A school traffic officer be assigned to the intersection of Charlton Avenue and Walnut Street for the morning and evening school crossing periods only; and
  - (b) The Finance Committee be requested to recommend a method of financing \$850 to cover the cost of assigning a school traffic officer to this intersection for the remainder of 1988.
29. (a) That a parking prohibition be implemented on the north side of Bendamere Avenue between West 32nd and West 34th Streets; and
- (b) That a parking prohibition be implemented on the south side of Angela Avenue between West 33rd Street and West 35th Streets; and
  - (c) That the existing parking prohibition in front of No. 72 East 32nd Street be rescinded; and
  - (d) That a parking prohibition be implemented on the south and east sides of Brigadoon Drive from a point opposite the north curb line of Golden Orchard Drive to Grenoble Road; and
  - (e) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Sanders Boulevard east of Daleview Court be extended easterly to Binkley Crescent; and
  - (f) That an "Alternate Side Parking" regulation be implemented on Rosedale Avenue between Lawrence Road and Greenhill Avenue such that parking is prohibited;
    - on the west side of the street during the months of December, January, February and March and the 1st to the 15th of April, May, June, July, August, September, October and November; and
    - on the east side of the street from the 16th to last day of April, May, June, July, August, September, October and November.
  - (g) That a "Three Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week, be implemented on the west side of Oxford Street between York Boulevard and Barton Street West; and
  - (h) That parking be prohibited on the south side of Southpark Avenue between Upper Wentworth Street and a point 100 feet easterly therefrom; and
  - (i) That City Traffic By-law 66-100 be amended accordingly.



30. (a) That three-way stop control be implemented at the intersection of Ninth Avenue and Fernwood Crescent; and
- (b) That four-way stop control be implemented at the intersection of Ninth Avenue and East 43rd Street; and
- (c) That eastbound traffic on Sundown Drive be required to stop for northbound and southbound traffic on Courtland Avenue; and
- (d) That eastbound traffic on Marcel Place be required to stop for northbound and southbound traffic on Courtland Avenue; and
- (e) That westbound traffic on Falkirk Drive be required to stop for northbound and southbound traffic on Courtland Avenue; and
- (f) That eastbound traffic on Dydzak Court be required to stop for northbound and southbound traffic on Courtland Avenue; and
- (g) That westbound traffic on Duff Street be required to stop for northbound traffic on West 2nd Street and southbound traffic on Duff Court; and
- (h) That the By-law entry requiring southbound traffic on Duff Court to stop for northbound traffic on West 2nd Street and westbound traffic on Duff Street be rescinded; and
- (i) That three-way stop control be implemented at the intersection of Augusta Street and Catharine Street; and
- (j) That a stop sign be erected to control southbound traffic on Torlake Street at Templemead Drive; and
- (k) That a stop sign be erected to control northbound traffic on Torlake Street at Tunbridge Crescent; and
- (l) That a three-way stop control be implemented at the intersection of Templemead Drive and Silverton Drive; and
- (m) That a three-way stop control be implemented at the intersection of Franklin Avenue and Paradise Road North; and
- (n) That a stop sign be erected to control southbound traffic on Elora Drive at Elmira Drive; and
- (o) That westbound traffic on Argo Street be required to stop for northbound and southbound traffic on San Remo Drive; and
- (p) That a stop sign be erected to control westbound traffic on Stanlow Crescent at Greenshire Drive; and

- (q) That parking be prohibited on the south side of King Street West between Haddon Avenue and Cline Avenue, between the hours of 8:00 a.m. and 6:00 p.m. Monday to Friday; and
  - (r) That stopping be prohibited on the south side of King Street West commencing at Haddon Avenue and extending to a point 119 feet westerly therefrom; and
  - (s) That parking be prohibited on the east side of Haddon Avenue from King Street West to a point 75 feet southerly therefrom; and
  - (t) That a crosswalk be painted across the east side of the intersection of King Street and Haddon Avenue; and
  - (u) That the painted centre median on King Street be increased in width from 4 feet to 8 feet, and extended westerly to the new crosswalk proposed above; and
  - (v) That curve warning signs for the curve on King Street at Cline Avenue be increased in size to 36 inches by 36 inches; and
  - (w) That the location of the school crosswalk sign for traffic westbound on King Street be improved; and
  - (x) That an additional one-way arrow be installed on the south-east corner of the intersection of King Street and Haddon Avenue; and
  - (y) That the stop sign for traffic northbound on Haddon at King be increased in size; and
  - (z) That the Hamilton-Wentworth Regional Police be requested to provide regular speed enforcement on King Street in the area of Haddon Avenue and Cline Avenue; and
  - (aa) That three-way stop control be implemented at the intersection of Southpark Avenue and Charing Drive; and
  - (bb) That a stop sign be erected to control southbound traffic on Southpark Avenue at Rushdale Drive; and
  - (cc) That a stop sign be erected to control westbound traffic on Rushdale Drive at Charing Drive; and
  - (dd) That City Traffic By-law 66-100 be amended accordingly.
31. (a) That the existing "No Parking" area on the east side of David Avenue, south of Southbend Road, be shortened such that it commences at a point 87 feet south of Southbend and extends to a point 171 feet south of Southbend.
- (b) That City Traffic By-law 66-100 be amended accordingly.



32. That leave be granted to introduce the following Bills:

- (a) B-1 By-law to expropriate for highway and municipal purposes, land known municipally as a portion of 969 Queenston Road and described as Parts 1, 7 and 8 on Reference Plan 62R-8380.
- (b) B-2 By-law respecting construction of local improvements of a concrete sidewalk on the east side of Lake Avenue between Huckleberry Drive and Delawana Drive.
- (c) B-3 By-law to authorize additional expenditures respecting the construction of local improvements of a concrete alley in the block bounded by Main Street, Kenilworth Avenue, Dunsmure Road and Crosthwaite Avenue.
- (d) B-4 By-law to incorporate Parts 18, 19, 20 and 21, Plan 62R-8070 into Independence Drive.
- (e) B-5 By-law to incorporate Blocks 36, 39, 40 and 41, Plan 62M-425 and Block 41, Plan 62M-495 into Crerar Drive.
- (f) B-6 By-law to incorporate Part 1, Plan 62R-9557 into Mount Pleasant Drive.
- (g) B-7 By-law to incorporate Block "C", Plan 1437 into Montmorency Court.
- (h) B-8 By-law to incorporate Block 91, Plan 62M-511 into DiCenzo Drive.
- (i) B-9 By-law to incorporate Block 43, Plan 62M-495 into Merilee Crescent.
- (j) B-10 By-law to incorporate Block 25, Plan 62M-423 into Templmead Drive.
- (k) B-11 By-law to incorporate Block 20, Plan 62M-471 into Quincy Court.
- (l) B-12 By-law to incorporate Blocks 21 and 22, Plan 62M-505 into Rockland Avenue.
- (m) B-13 By-law to incorporate Block 17, Plan 62M-469 and Block 63, Plan 62M-517 into Kordun Street.
- (n) B-14 By-law to incorporate Part 5, Plan 62R-4626 and Block 10, Plan 62M-412 into Leggett Crescent.

- (o) B-15 By-law to incorporate Block 31, Plan 62M-392 and Block "D", Plan 1437 into Montmorency Drive.
- (p) B-16 By-law to incorporate Block 20, Plan 62M-382 into Southpark Avenue.
- (q) B-17 By-law to incorporate Parts 10, 11, 12, 13, 14, 15, 16 and 17, Plan 62R-8070 into Templemead Drive.
- (r) B-18 By-law to incorporate Block 123, Plan 62M-516 into Brigade Drive.
- (s) B-19 By-law to incorporate Part 1, Plan 62R-9471; Part 4, Plan 62R-9557; Blocks 51 and 53, Plan 62M-484; and Block 20, Plan 62M-505 into Templemead Drive.
- (t) B-20 By-law to incorporate Part 36, Plan 62M-434 and Block 17, Plan 62M-479 into Carriage Drive.
- (u) B-21 By-law to Amend By-law 66-100 to Regulate Traffic.
- (v) B-22 By-law to Amend By-law 66-100 to Regulate Traffic.
- (w) B-23 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary  
Attach.

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1988 December 05

## APPENDIX "A"

REFERRED TO IN SECTION 2 OF THE  
FIRST REPORT OF THE TRANSPORT  
AND ENVIRONMENT COMMITTEE

	HOURLY RATE		
	To April '89	To April '90	To April '91
<u>Delmar Contracting Limited</u>			
- 2 Graders	\$145.00	\$155.00	\$160.00
- 6 Tandem Dump Trucks	46.00	50.00	55.00
- 4 Caterpillar Loaders	100.00	105.00	110.00
- 2 Case Loaders	80.00	85.00	90.00
- 1 Dual Wheel Snow Plow	50.00	55.00	60.00
<u>Cardeen Construction Limited</u>			
- 3 Rubber Tire Loader	96.00		
<u>Cayuga Materials &amp; Construction</u>			
- 2 Graders	120.00	125.00	130.00
<u>Black Top Enterprises Ltd.</u>			
- 1 Grader	120.00	125.00	130.00









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its FIRST Report for 1989 and respectfully recommends:

1. That a purchase order be issued to I D Development Co., Hamilton in the amount of \$11 726.40 for Stair Alterations-Press Box at Ivor Wynne Stadium in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Only quotation received. Funds provided in Work Done for Others Account No. 0364-9819.

2. That a purchase order be issued to MacIntyre Electric, Hamilton in the amount of \$12 844 to provide Electrical Distribution and Tree Uplighting, Downtown Action Plan, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Commercial Improvement Programme; Downtown Action Plan Account No. 0405-K75505.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An Order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. That an Agreement by Owner to Accept Compensation for the purchase of 141 Walnut Street South, executed by Eugene Vernon Walsh and Myrtle Walsh, on November 25, 1988 and scheduled for closing on or before January 20, 1989, be approved and completed.

NOTE: This property which is required in connection with the development of Corktown Neighbourhood Park has a frontage of 32.42 feet along the easterly limits of Walnut Street South, by a depth of 119.5 feet/120.1 feet, having an area of 3,916 square feet and more particularly described as Part 1, on Expropriation Plan 480145 C.D. The purchase price of \$94 521, in accordance with Schedule "A" is to be charged to Account No. 0408-C66066. Demolition is to take place after closing.

4. That the rock supporting the United Empire Loyalist plaque be removed from the front lawn of Dundurn Castle and relocated to Harvey Park just north of the parking lot.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1988 December 06







REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for the 1989 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following properties: -
  - (a) 1556 Upper Gage Avenue
  - (b) 956 Rymal Road East
  - (c) 1415 Upper Gage Avenue
  - (d) 411 Sherman Avenue North
  - (e) 138 Stapleton Avenue
  
2. That a purchase order be issued to The I.T. Verdin Company, Thornhill, in the amount of \$149,968 plus 8% Provincial Sales Tax, for the supply, delivery and installation supervision of Clock Tower, Jarvis Street Square in accordance with specifications issued by Moorehead Fleming Corban & Partners and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in Downtown Hamilton Action Plan, Phase IV, Jarvis Street Square Clock Tower Account #04075-A94015.
  
3. That the Director of Property be given authority, on behalf of the Corporation of the City of Hamilton, to enter into parking permit agreements with the area residents surrounding West Avenue School.

NOTE: The permit fee will be \$20.00 annually and credited to Account #0306-0513. The number of permits not to exceed 20.
  
4. That an Option to Purchase the property at 393 Sherman Avenue North, by the City of Hamilton duly executed by Cinoke Investments Limited (Norm Plummer, President) on 1988 October 27, and scheduled to close on or before 1989 February 8, BE COMPLETED.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 6.705 metres (22 feet) by a depth of 27.43 metres (90 feet) comprising an approximate area of 183.94 square metres (1,980 square feet) with structures erected thereon. The purchase price of \$50,500.00 and all costs and associated expenses, including tenant moving allowances, to be charged to account #0408-W75266. Demolition is to take place upon closing.

5. That City Council send a letter to the Right Honourable Brian Mulroney, Prime Minister of Canada, with copies to the Hamilton Area Members of Parliament, requesting that the Federal Government provide funding for the continuation of Heritage Canada's Main Street Program and for the development of new programs which encourage downtown revitalization, heritage conservation and heritage tourism.

NOTE: Funding for Main Street Canada, a program of Ontario Heritage Foundation "dedicated to both the economic and architectural revival of downtown Canada" is scheduled to terminate in 1991. By that time, over 70 communities across the country will have benefited from this program.

Heritage Canada is asking for support from all municipalities which have participated in the Main Street Program, both for its continuation and for new initiatives such as the two proposed: (Regional Heritage Tourism and the Canadian Centre for Livable Places). The Ottawa Street B.I.A. joined the Main Street Canada Program in 1987.

6. (a) That the City of Hamilton, as the owner of La Salle Park, located on North Shore Boulevard, Burlington, request the City of Burlington to designate the building known as the La Salle Park Pavilion, under Part IV of the Ontario Heritage Act; and
- (b) That the City Solicitor and City Clerk be authorized and directed to take appropriate action to implement this request.

NOTE: Because the building is located within the City of Burlington, the designation procedure is the responsibility of the Burlington City Council.

7. (a) That the Proposed Draft Plan of Subdivision "South Hill" not received final draft approval before an appropriate amendment to the Hamilton Official Plan is approved by Hamilton-Wentworth Regional Council.
- (b) That APPROVAL be given to Subdivision Application SA-88-13, Wardpark Developments Ltd., owner, to establish a draft plan of subdivision south of Rymal Road and west of Christie Street, subject to the following conditions:
- (i) That this approval apply to the plan prepared by Ashenhurst Nouwens Limited, dated 1988 May 18, revised to show 69 lots, 2 blocks (Blocks "70" and "71") as 0.3m reserves and a 2.0m x 2.0m daylight triangle.

- (ii) That the plan not receive final approval before a road access is established to this plan of subdivision and the storm and sanitary sewer system as well as municipal water services are available to service this plan of subdivision.
- (iii) That the streets be dedicated as public highways on the final plan.
- (iv) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (v) That the final plan conform with the Zoning By-law approved under The Planning Act.
- (vi) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (vii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (viii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
- (ix) That the dead-ends and open side of the road allowances (Block "17" and "18" inclusive) created by the plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and to be held by the City until required for the extension of the road allowances or for the development of abutting lands.
- (x) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
- (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (c) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-13), Wardpark Developments Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council



8. That APPROVAL be given to Zoning Application 88-83, Irene Lovell, owner, requesting a change in zoning from the "AA" (Agricultural) District to the "C" (Urban Protected Residential, etc.) District, to permit the creation of a single-family dwelling building lot, for property located at No. 120 Stone Church Road West as shown on the attached map marked as APPENDIX "A", on the following basis:
- (a) That the subject lands be rezoned from the "AA" (Agricultural) District to the "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9C.
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The purpose of the By-law is to provide for a change in zoning from the "AA" (Agricultural) District to the "C" (Urban Protected Residential, etc.) District, for property located at No. 120 Stone Church Road West.

The effect of the By-law is to allow for the severing of the subject property into two lots, thereby facilitating the creation of a single-family dwelling building lot.

9. That Zoning Application 88-70, Dejan Srdic and Eunice Srdic, owners requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at No. 80 Myrtle Avenue, as shown on the attached map marked as APPENDIX "B", BE DENIED for the following reasons:
- (a) it represents an intrusion of a two-family dwelling into an area occupied primarily by single family dwellings;
  - (b) approval of the application would establish an undesirable precedent and set the stage for other land owners to convert their dwellings for multiple occupancy;
  - (c) it represents an over intensification of use in that the property is substandard from the point that it does not meet the minimum lot area requirements for a single-family dwelling (12.0 m of lot frontage (39.37 ft.) and an area of at least 360.0 m<sup>2</sup> (3,875.01 sq. ft.) whereas the property only has 9.14 m (30.0 ft.) of lot frontage and 220.17m<sup>2</sup> (2,370 sq. ft.) of lot area. Furthermore, it does not meet the minimum lot area requirement for conversion in a "C" District under Section 19 of Zoning By-law No. 6593 of 270.0 m<sup>2</sup> (2,906.26 sq. ft.);

- (d) Two off-street parking spaces are required whereas it appears that only one can be provided on-site.

10. That APPROVAL be given to Zoning Application 88-80, Mr. L. W. Bertrand, Mr. R. Gallagher and Mr. J. Ferguson, owners, for changes in zoning (Block 1) from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District and (Block 2) from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, for lands located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, as shown on the attached map marked as APPENDIX "C" on the following basis:

- (a) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
- (b) That the lands described as Block 2 be rezoned from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49d;
- (d) That the Templemead Neighbourhood Plan be amended by redesignating the following:
  - (i) Block 1 - From "Attached Housing" and "Low Density Apartments" to "Single and Double" residential.
  - (ii) Block 2 - From "Attached Housing" to "Low Density Apartments"

**NOTE:** The purpose of this By-law is to provide for changes in zoning for properties located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, on the following basis:

- (a) Block 1 - From "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District; and,
- (b) Block 2 - From "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District.

The effect of the By-law is to permit small lot single-family dwellings on the lands described as Block 1, and to permit low density apartment and/or townhouse development on the lands described as Block 2.



11. (A) That Zoning Application 88-42, Diton Construction, owner, requesting a further modification to the "E" ( Multiple Dwellings Lodges, Clubs, etc.) District provisions, to permit a 68 person privately run retirement home (residential care facility), for the property located at No. 19 Aikman Avenue, as shown on the attached map marked as APPENDIX "D" BE DENIED as submitted for the following reasons:
- (a) inadequate parking can be accommodated on site (23 parking spaces required, 16 to be provided) creating spill over parking onto adjacent residential streets.
  - (b) it sets an undesirable precedent for future similar applications.
- (B) That APPROVAL be given to an amended Zoning Application requesting further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, to permit a 45 person privately run retirement home (residential care facility) for the property located at No. 19 Aikman Avenue as shown on the attached map marked as APPENDIX "D" on the following basis:
- (a) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 11.(1)(v) a residential facility for the accommodation of not more than 45 persons aged 65 and over shall be permitted.
    - (ii) That Section 11.(7) shall not apply
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-953a and that the subject lands on Zoning District Map E-22 be notated S-953a.
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-22.
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The purpose of the By-law is to provide for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions for the property located at No. 19 Aikman Avenue.

The effect of this By-law is to permit a 45 person privately run retirement home (residential care facility) for persons aged 65 and over.

In addition, the by-law permits the residential care facility to be located within 180 meters of a residential care facility.

12. That Zoning Application 88-79, Paling Incorporated, owner, requesting a modification to the established "J" (Light and Limited Heavy Industry, etc.) District to permit a salvage yard, for property located at Nos. 90 and 100 Mead Avenue and 1865 Brampton Street, as shown on the attached map marked as APPENDIX "E", BE DENIED for the following reason:

- (a) The proposal is incompatible with existing residential development in the surrounding area.

13. That APPROVAL be given to Zoning Application 88-78, Karen and Frank Murphy, owners, for a modification to the established "E-3" (High Density Multiple Dwellings) District to permit a 2 storey addition to No. 132 Young Street for medical offices on the ground floor and 3 apartment units on the second floor, to be developed in conjunction with lands located at Nos. 130, 134 and 136 Young Street, as shown on the attached map marked as APPENDIX "F", on the following basis:

- (a) That the "E-3" (High Density Multiple Dwellings) District regulations as contained in Section 11C of Zoning By-law No. 6593, applicable to the subject lands, be modified to provide for the following variances as special regulations:
- (i) That notwithstanding Section 11C.(1) medical offices and 3 dwelling units shall be permitted;
  - (ii) That notwithstanding Section 11C.(2) (b) a minimum westerly side yard width of 1.6 m and a minimum southerly side yard width of 1.38 m shall be required;
  - (iii) That notwithstanding Section 11C.(5) a minimum landscaped area of 16% shall be provided and maintained;
  - (iv) That notwithstanding Section 18A - Table 1 a minimum of 8 parking spaces shall be required;
  - (v) That Sections 18A (11), (12) and (26) shall not apply;

- (vi) That Section 18A. (9) shall not apply to 2 parking spaces to be located in the westerly side yard;
- vii) That notwithstanding Section 18A - Table 6 the required manoeuvring space for the easterly parking area shall be a minimum 5.3 m in width.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1104, and the subject lands on Zoning District Map E-5 be notated S-1104.
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5;
- (d) That the proposed change in zoning is in compliance with the Official Plan for the Hamilton Planning Area;
- (e) That the Approved Corktown Neighbourhood Plan be amended by redesignating the subject lands from "High Density Apartments" To "Commercial and Apartments".

**NOTE:** The purpose of the By-law is to provide for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations for lands located at Nos. 130, 132, 134 and 136 Young Street.

The effect of the By-law is to permit redevelopment of the subject lands for a 2 storey building containing medical offices on the ground floor and 3 apartment units on the second floor. The existing dwelling at No. 132 Young Street is to be retained.

In addition, the By-law provides for the following variances as special requirements:

- (a) A minimum westerly side yard width of 1.6 m (5.2 feet) and a minimum southerly side yard width of 1.38 m (4.5 feet) is to be provided, whereas a side yard width of 4.59 m (15 feet) is required;
- (b) A minimum landscape area of 16% is to be provided and maintained, whereas 40% is required;
- (c) A minimum of 8 parking spaces are to be provided, whereas 11 are required;

- (d) No planting strip is to be provided, whereas a minimum 1.5 m (5 foot) wide planting strip is required along the boundary of the parking area adjoining a residential district;
  - (e) The manoeuvring space for 2 parking spaces to be provided in the westerly side yard is not required, whereas it should be provided on site;
  - (f) The required manoeuvring space for the easterly parking lot shall be 5.3 m (17.6 feet) in width, whereas 6.0 m (19.69 feet) is required;
  - (g) The access driveways will abut the adjoining residential district boundaries, whereas they are required to be setback a minimum of 3.0 m (9.84 feet).
14. (a) That APPROVAL be given to Official Plan Amendment No. 69 to introduce a "Special Policy Area" to permit offices for accountants and lawyers within the existing building, and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That APPROVAL be given to Zoning Application 88-90, Louis Levy, prospective owner, for a change in zoning from the "E-3" (High Density Multiple Dwellings) District to "DE-3 (Multiple Dwellings) District modified, to permit the conversion of the existing multiple dwelling (4 plex) into offices for accountants and lawyers, for lands located at Nos. 99 Duke Street and 191 Bay Street South, as shown on the attached map marked as APPENDIX "G", on the following basis:
- (i) That the subject lands be rezoned from the "E-3" (High Density Multiple Dwellings) District to the "DE-3" (Multiple Dwellings) District;
  - (ii) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to provide for the following variances as special requirements:
    - (1.) That notwithstanding Section 10C.(1) offices for lawyers and accountants shall be permitted within the existing building;



15. That leave be granted to introduce the following Bill:

(a) Bill D-1

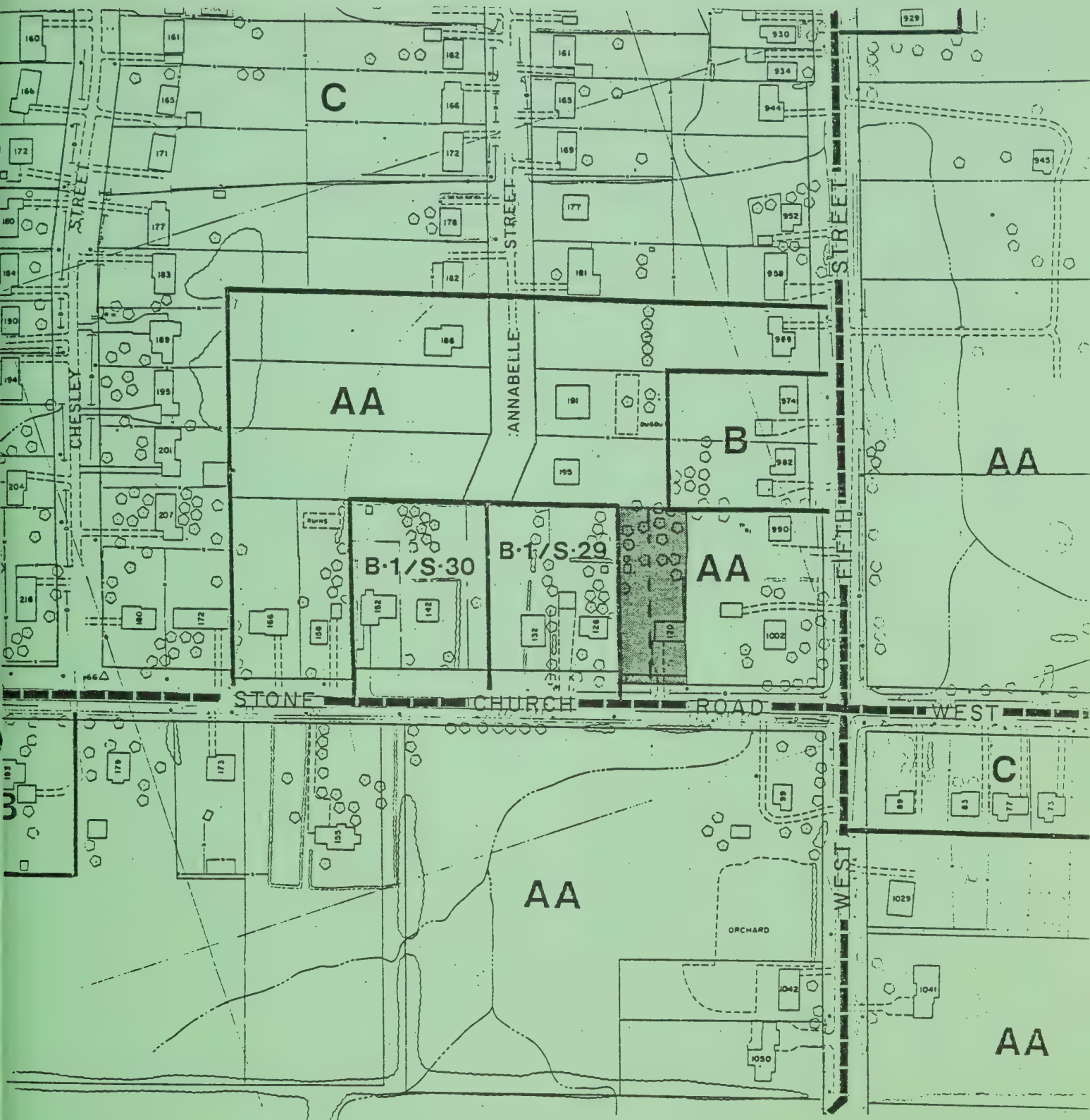
A By-law to amend Zoning By-law No. 6593  
respecting lands located on the east side of  
Upper Wentworth Street and south of Balharbour  
Drive

Respectfully submitted,

Alderman J. Smith, Chairman  
Planning and Development Committee

Susan K. Reeder  
Secretary  
1988 November 30

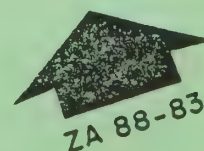




# LEGEND



SITE OF THE APPLICATION

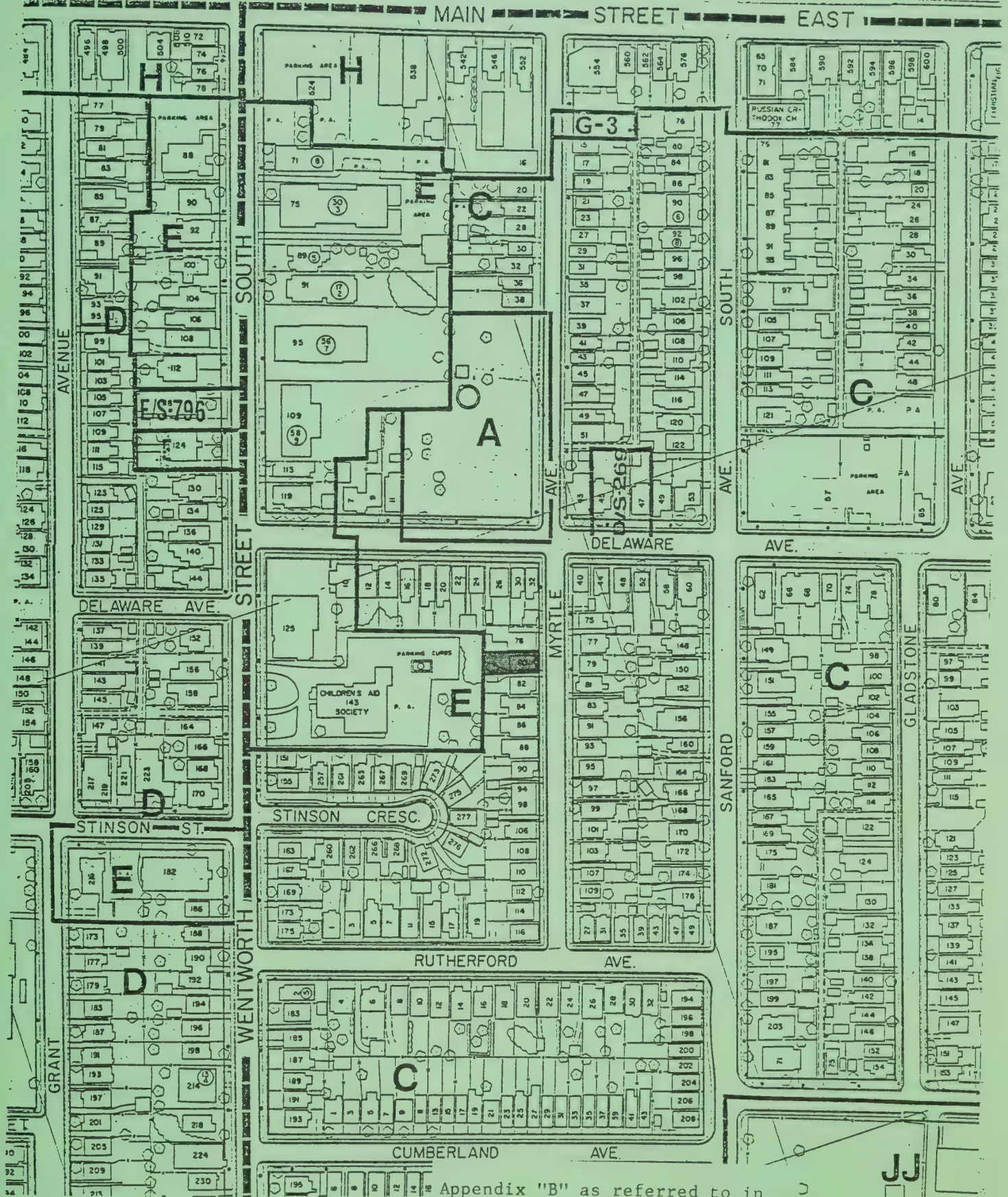


D-11

Appendix "A" as referred to  
in Section 8 of the First  
Report for 1989 of the  
Planning & Development Committee

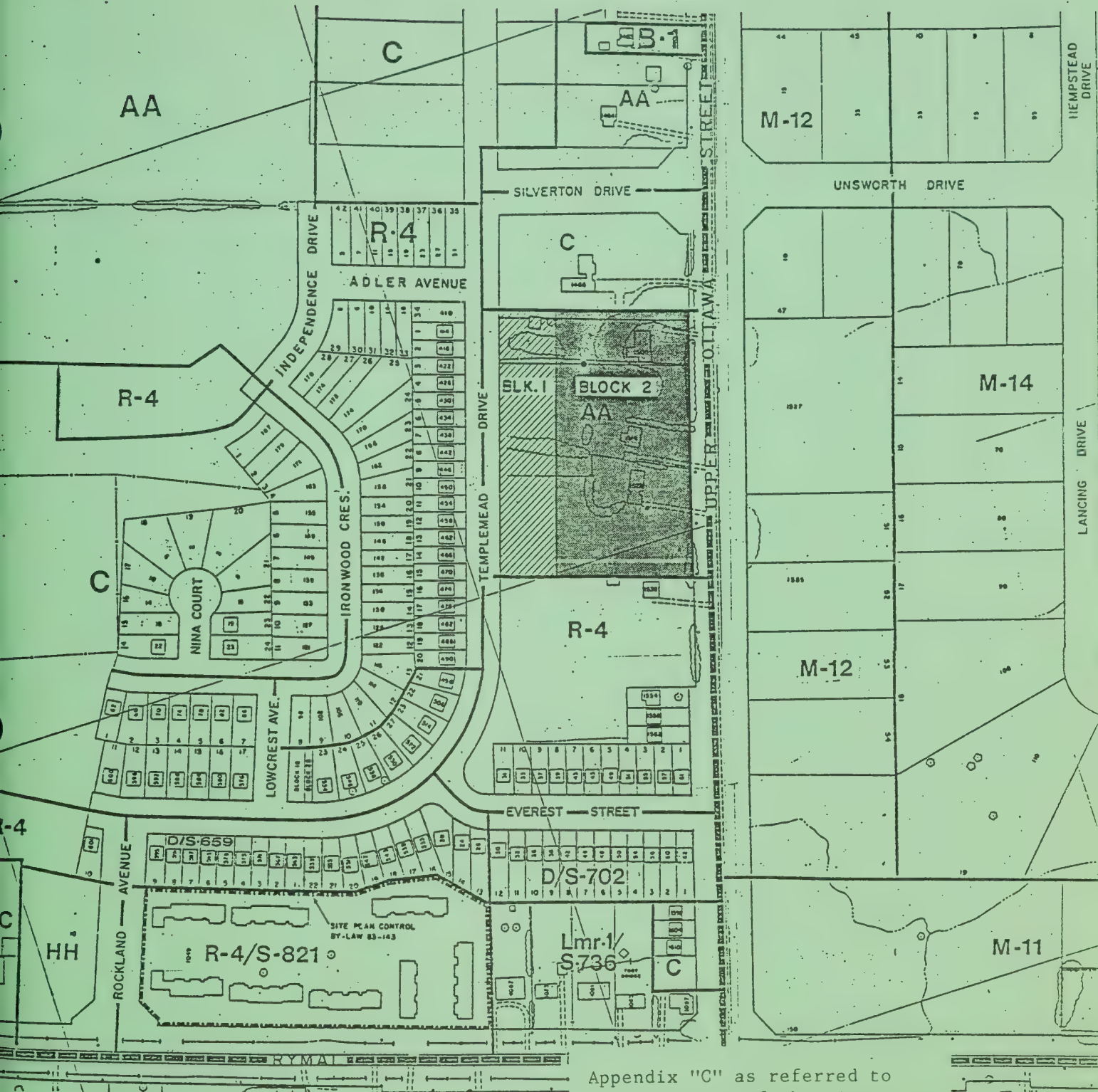












## LEGEND

PROPOSED CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:

BLOCK 1  "R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT.

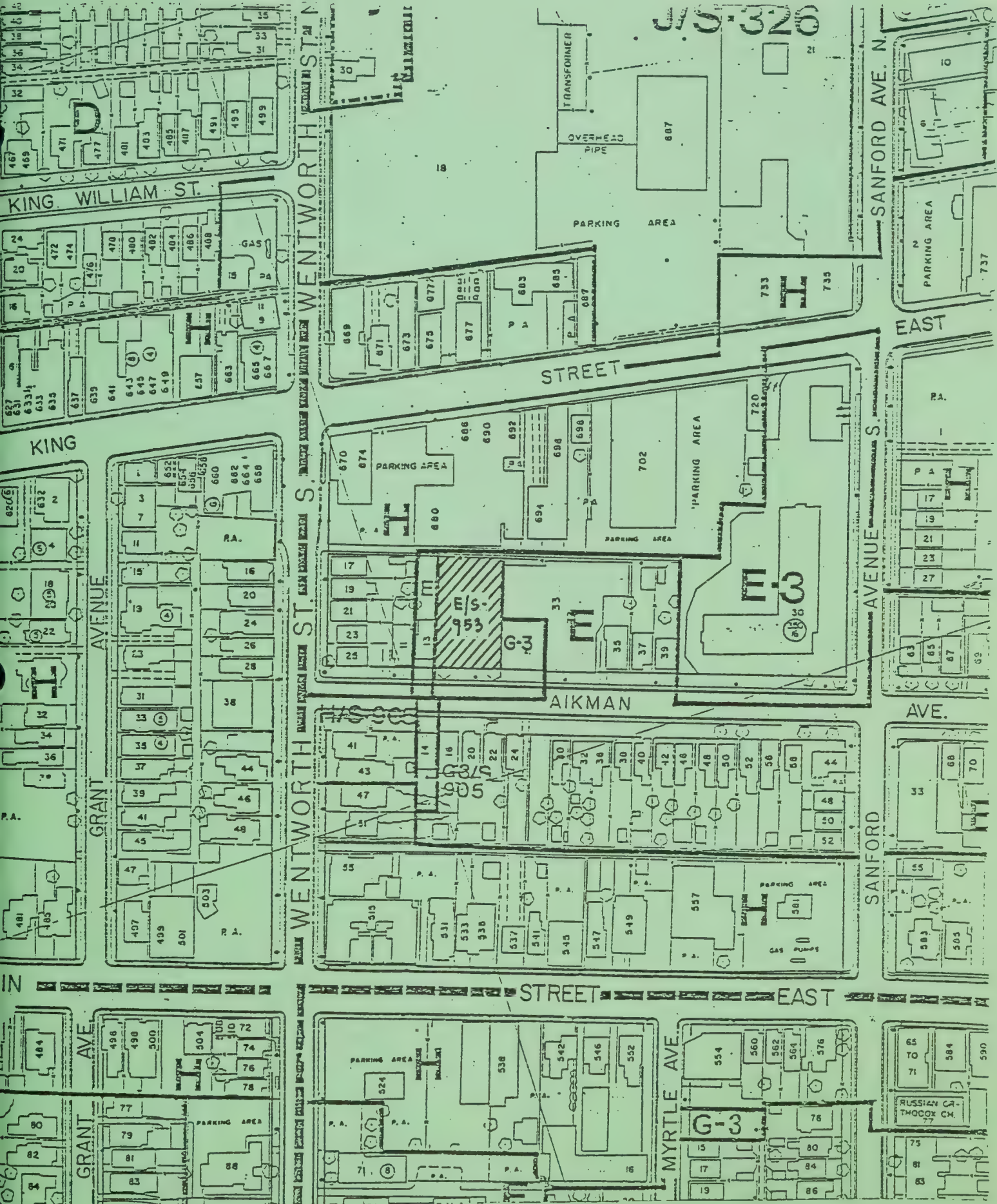
BLOCK 2  "DE-3" (MULTIPLE DWELLINGS) DISTRICT.

D-13









SITE OF THE APPLICATION

Appendix "D" as referred to in Section 11 of the First Report for 1989 of the Planning & Development Committee





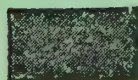




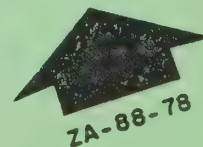




## LEGEND

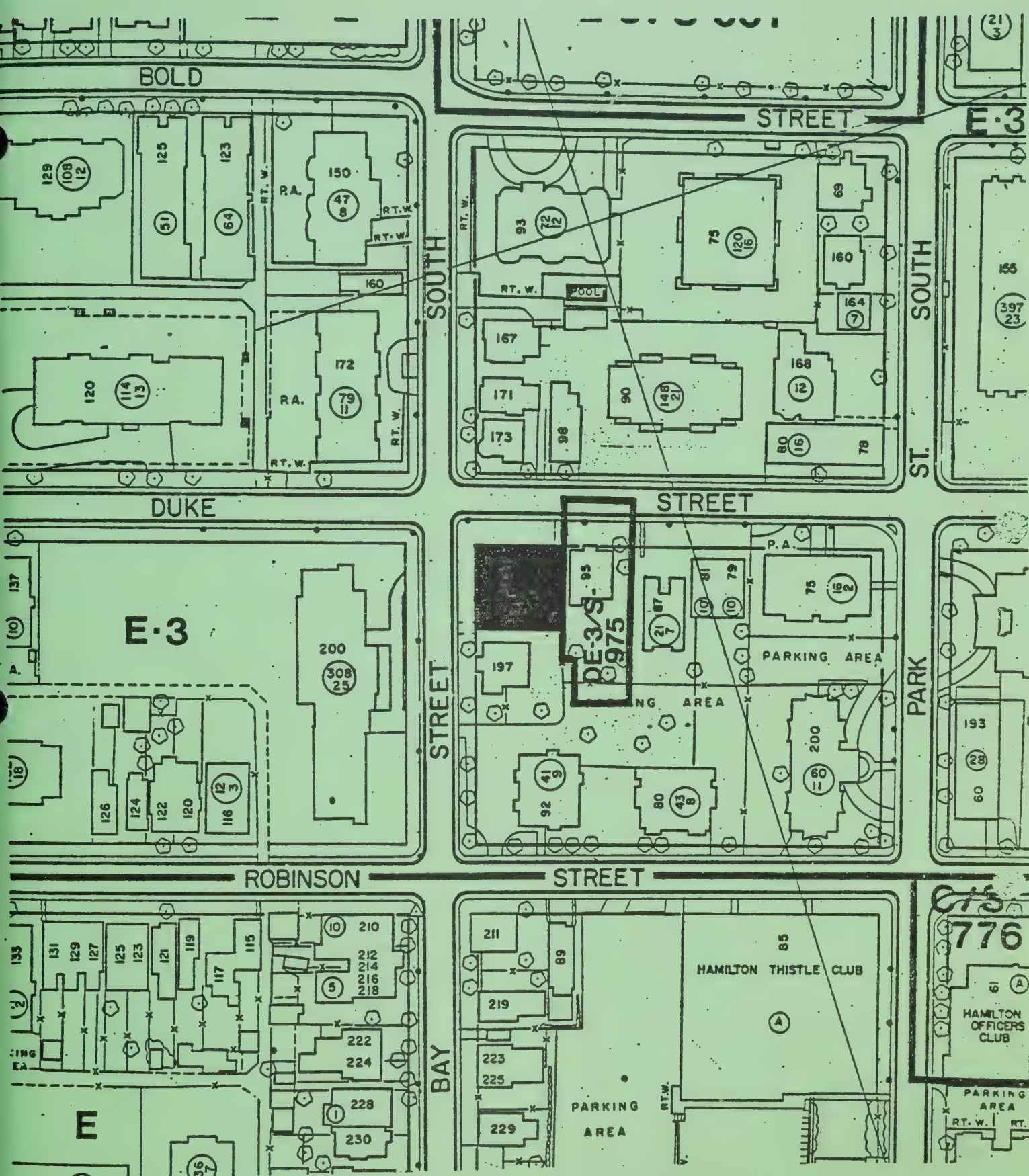


SITE OF THE APPLICATION









# Legend



Site of the Application

Appendix "G" as referred to in  
Section 14 of the First Report  
for 1989 of the Planning and  
Development Committee











## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FIRST Report for 1989 and respectfully recommends:

1. That a purchase order be issued to Bay King Motors Ltd., Hamilton in the amount of \$10 284.20 plus licence fee for the supply and delivery of one (1) 1989 sub-compact vehicle for the City Clerk's Department in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

Note: Lowest of four (4) quotations received. Funds provided in Licence Automotive Equipment Account No. 0322-0272.

As the Licence Inspector has been hired and requires a car immediately, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

2. (a) That the Licencing Committee operate within the regulations and procedures set out in the City of Hamilton Licencing By-laws and the City of Hamilton Act, 1978 and which are clearly outlined in the memo from Mr. P. Hooker, City Solicitor's Office to the Licencing Committee dated 1988 November 08, a copy of which is attached hereto as APPENDIX "A".  
  
(b) That no private meetings of the Licencing Committee be held prior to the regular meetings. Any matters for consideration in-camera in accordance with the Licencing By-law and/or the Procedural By-law to be dealt with during regular meetings.  
  
(c) That the function of Recording Secretary for the Licencing Committee be removed from the duties of the Manager of Licencing.  
  
(e) That the Taxi Cab Priority List be made available to the public for inspection in the City Clerk's Department during regular business hours and copies be provided upon request for a nominal fee and further that a copy of the Taxi Cab Priority List be forwarded to the Hamilton-Wentworth Regional Police.

**Note:** For the information of the members of City Council, the Legislation Committee, at its meeting held 1988 December 05 adopted a motion requesting the Licencing Committee to submit a status report to the Legislation Committee before the end of January 1989 on the progress of their review of various licencing procedures, concerns and issues, in particular the taxi cab and bingo licences, with recommendations including all outstanding matters and issues.

3. (a) That permission be granted to the Jewish Community Centre, Hamilton-Wentworth and Area to use the Council Chambers for the annual Max Rotman Humanitarian Awards Ceremony on Sunday, 1989 April 09 at 8:00 o'clock p.m.
- (b) That staff overtime for a Property Maintenance worker to be available for arrangements associated with this event be approved and charged to Account No. 0321-0760 - Use of City Hall Facilities and Equipment By Outside Groups.
4. That approval be given to the request of the Local Architectural Conservation Advisory Committee to use:
  - (a) the Council Chambers on Monday, 1989 February 20 from 11:30 o'clock a.m. to approximately 1:30 o'clock p.m. for the purpose of conducting a proclamation ceremony for Heritage Week to be held from 1989 February 20 to 1989 February 26.
  - (b) the second floor foyer from 1989 February 17 to 1989 February 24 for the purpose of displaying heritage exhibits for 1989 Heritage Week.
5. That permission be granted to the Ontario Lottery Corporation to use the City Hall forecourt for the purpose of holding a Balloon Launch/Press Conference on Monday, 1989 January 16 at 12:00 o'clock noon.
6. (a) That the City of Hamilton sponsor a quarter page in a special commemorative book in honour of Rabbi Bernard Baskin who will be retiring in September of 1989 at a cost in the amount of \$200.
- (b) That this expenditure be charged to Account No. 0322-0912, Advertising and Publicity in the 1989 budget of the City Clerk's Department.

7. (a) That the City of Hamilton host a reception for the participants of the Hamilton Spectator Indoor Games to be held at Copps Coliseum 1989 January 13 at a cost not to exceed \$2 000.  
(b) That this expenditure be charged to the Special Civic Receptions and Delegate Hostings Account No. 0373-1009 in the 1989 budget.

8. That the City Solicitor be authorized to prepare a by-law to amend Licencing By-law No. 87-234 respecting Flea Markets to delete Section 7 regulating parking and Section 9 requiring a distance separation of flea markets from residentially zoned districts.

Note: For the information of the members of City Council, parking regulations and distance separation requirements of flea markets are unauthorized by the special enabling legislation, The City of Hamilton Act, 1978. Consequently, they are unenforceable and should be deleted from the Licencing By-law respecting Flea Markets.

The Planning and Development Committee will hold a public meeting on Wednesday, 1988 December 14 to review and assess regulations respecting flea markets.

9. (a) That approval be granted to the Canadian Football Hall of Fame and Museum to work with Jones Neon to install a permanent Canadian Football Hall of Fame and Museum sign on the south east corner of City Hall property.  
(b) That the sign be five feet in height and eight feet in length and that it be a double-faced pylon sign on granite/marble with five inch black lettering.  
(c) That the exact location of the sign shall be subject to the approval of the Legislation Committee.
10. That the City of Hamilton support and endorse Provincial Bill 145 - An Act to Prohibit the Sale of Gun Replicas.



11. That the following resolution from the City of York regarding the request to declare the Post Office as an essential service, be received.

WHEREAS the third postal strike in the past 18 months is detrimental to many small businessmen, the backbone of the Canadian economy and the public generally; and

WHEREAS a lengthy postal strike will inconvenience senior citizens, the handicapped and persons on welfare; and

WHEREAS postal service has not improved in recent years;

THEREFORE BE IT RESOLVED that the City of York urges the Federal Government to give consideration to declaring the Post Office as an essential service which would outlaw all future postal strikes and institute compulsory arbitration; and further

THAT a copy of this resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities and all municipalities with populations of 50 000 and over.

12. That civic awards be made to the following members of the Steel City Riders' Motorcycle Club in recognition of winning national championships:

NAME

AWARD

Larry Bastedo

Diamond Insert

Patrick Driscoll

Civic Gold Ring

13. That approval be given to the action of the Legislation Committee in authorizing the use of City Hall facilities as summarized below:

(a) Hamilton Society of Architects, second floor foyer area from 1988 December 02 to December 15 to display a series of projects from local architectural offices that will be judged for their annual merit awards.

(b) Ms. Jane Farrington, City Hall forecourt on Thursday, 1988 December 08 from 3:00 o'clock p.m. to approximately 11:00 o'clock p.m. for a candlelight vigil held in memory of John Lennon.



- (c) Jewish Community Centre, Hamilton-Wentworth and Area,  
Council Chambers, Wednesday, 1988 December 07- from 3:45  
o'clock p.m. to 5:00 o'clock p.m. for a ceremony regarding  
the Chanukah Celebrations.

14. That leave be granted to introduce the following Bill:

Bill E-1            A By-law to Amend Licencing By-law  
                    No. 79-323 Respecting Fees for Circuses

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LICENCING COMMITTEE

John Thompson, Secretary  
1988 December 05

mjlw



Corporation of the City of Hamilton  
Memorandum

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TO: Chairman and Members of  
the City of Hamilton  
Licensing Committee  
Attention: Mr. S. J. Dembe, Secretary

*Police - YOUR  
st. 13E 34E*

*LOW  
X*

FROM: Philip R. A. Hooker  
City Solicitor's Office

OUR FILE: 130-37.11  
130-43.8

SUBJECT: City of Hamilton Licensing Committee

DATE: November 18, 1988

For the reference and guidance of your Committee, we have prepared the following synopsis of the legislation respecting the Committee's operation.

I. ENABLING LEGISLATION: The City of Hamilton Act, 1978, s.o. 1978, ch. 119 gives the City the right to establish a Licensing Committee by by-law.

By-law 78-224 was enacted on July 25, 1978 for that purpose. Subsequent by-laws appointed different members of the committee over the years.

II. MEMBERSHIP OF THE COMMITTEE: The 1978 Act provides that the Committee shall be composed of at least three members appointed by Council of whom one or more may be members of Council.

In recent years membership on the Committee has been five members, consisting of 3 Council members and 2 citizens.

III. QUORUM: The Act provides that a majority of members of the Committee constitutes a quorum, so that when the full membership is 5, a quorum is 3.

IV. QUASI-JUDICIAL BODY: The Licensing Committee, when sitting as a tribunal to hold hearings on licence applications, suspensions or revocations, is governed by The Statutory Powers Procedure Act. In this regard it should be noted that the Licensing Committee, unlike other standing committees of City council, is a quasi-judicial body, that is to say, members hearing matters must be circumspect and conduct themselves as if they were judges in a court of law.

For instance, in dealing with any specific application, the members sitting are not interchangeable. A matter to be heard by the Committee must be completely heard by the same Committee members. If for some reason a member was not available to complete the hearing, the hearing would have to be recommenced.

Appendix "A" as referred  
to in Section 2 (a) of the  
FIRST Report of the  
Legislation Committee

V. POWERS OF THE COMMITTEE: The powers of the Committee, in the place and stead of council, are

1. To receive licence applications and fees;
2. To issue and renew licences and approve the transfer of licences where in the opinion of the Licensing Committee the requirements for the issue, renewal or transfer of a licence have been satisfied;
3. To refuse to issue or renew licences or approve transfers of licences where in the opinion of the Committee the requirements for the issue, renewal or transfer of a licence have not been satisfied.

VI. NOTICE OF HEARING: In cases where an existing licence or application for a new licence is to be contested before the Committee for any reason, such as non-conformity to by-laws or other applicable laws, alleged bad character or unsuitability of the applicant or licensee, or allegations that the issuance or continued existence in force of a licence would be contrary to the public interest, the applicant or licensee must be given at least 7 clear days' written notice of the hearing, setting out:

- the date, time, place and purpose of the hearing
- the authority under which the hearing is to be held
- the allegations against him
- a warning that, should he fail to attend, the Committee may proceed to hold the hearing in his absence, without further notice
- that he may be represented in person or by counsel or agent, that evidence may be given under oath, and that he may call evidence and witnesses and cross-examine witnesses and make arguments and submission.

VII. DECISIONS OF THE COMMITTEE: Where the Committee makes a decision adverse to the applicant or licensee, i.e. to deny, suspend, revoke or refuse to renew or transfer a licence, the Committee must make a recommendation to council setting out:

- the name of the licensee or applicant
- the type of licence in question
- the evidence heard on both sides
- the recommendation being made by the Committee
- the reasons for the recommendation, sufficiently to enable Council to decide thereon.



VIII. COUNCIL DECISIONS: Once the Committee sends a report to Council with a recommendation adverse to an applicant or licensee, Council makes the final decision after considering the Committee's report and without having to hold a further hearing or having to hear evidence itself. If the applicant or licensee disagrees with Council's decision, he may appeal to the Supreme Court of Ontario.

IX. FORMAL MEETINGS: It is desirable that the Committee meeting be based on and follow a formal agenda and result in a record or minutes of official Committee meeting proceedings. Conducting a telephone poll of Committee members is not a valid method of reaching a decision and we have in the past so advised. The Committee must meet as such.

X. PUBLIC AND PRIVATE MEETINGS: The Statutory Powers Procedure Act provides that where matters of an intimate personal or financial nature may be disclosed at a hearing such that, under the circumstances, the desirability of avoiding their disclosure for the sake of the person affected outweighs the desirability of having the hearing open to the public, the tribunal may hear such matters in camera.

Because some persons coming before the Committee have criminal records or receive social assistance, the Committee generally hears such information in camera, i.e. with the public and news media excluded.

XI. PROCEDURAL BY-LAW: Section 44(1) of the Procedural By-law, 82-203, as amended, under "Access to Information", specifically excludes from the definition of "document" those documents or writings submitted to the City of Hamilton Licensing Committee.

This provision is designed to ensure the confidentiality of the above-mentioned types of documents (e.g. criminal records, etc.) reviewed by the Licensing Committee in the course of its deliberations.

Section 44(4), clause 5 also excludes from public accessibility documents pertaining to "litigation or communication respecting solicitor-client relationships including legal opinions and advice".

For the above reasons, the Committee customarily considers individual licence applications, particularly disputed ones, in camera, as a matter of prudence and sensitivity procedurally and because of the intimate personal facts that may be involved.

XII. OPERATIONAL PROCEDURES: Over the last 10 years that the Licensing Committee has existed, this department has on numerous occasions provided detailed written legal advice to the Committee with regard to many aspects of its operation and procedure. These opinions have related to both particular cases and general matters. Such advice will continue to be provided on request or as circumstances prevailing may require.

In particular, we have many times pointed out that in respect to contentious hearings before the Committee, its members must collectively and individually remember that in such cases the Committee sits as a quasi judicial



body and its members must act accordingly, strictly adhering to the requirements of The Statutory Procedure Act and the contents of existing applicable by-laws.



Philip R. A. Hooker  
for K. A. Rouff  
City Solicitor

PRAH:cls

c.c. Chairman and Members,  
Legislation Committee  
Attention: Mr. J. D. Thompson  
Secretary

c.c. Mr. L. Sage,  
Chief Administrative Officer

cc Mr. K. Avery, Deputy City Clerk  
Sgt. Dave Broom, Hamilton-Wentworth Regional Police





## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance presents its **FIRST** Report for 1989 and respectfully recommends:

1. That a purchase order be issued to Jocelyn Roofing & Sheet Metal, Hamilton, in the amount of \$32 175 to replace the roof at Jimmy Thompson Pool in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

**Note:** Lowest of two (2) quotations received. Funds provided in Major Maintenance Account No. 0408-E45018.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

2. That a purchase order be issued to Riddell Sheet Metal & Roofing, Hamilton, in the amount of \$38 755 to replace the roof at West Avenue School in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

**Note:** Lowest of three (3) quotations received. Funds provided in Energy Conservation '86 Account No. 0408-A95001.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. That a purchase order be issued to Wajax Industries, Mississauga in the amount of \$172 454.40 plus licencing, for the supply and delivery of two (2) aerial device trucks, for the Central Garage in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

**Note:** Lowest of acceptable of six (6) tenders received.  
Funds provided in Depreciation Account No. 0280-01.

4. That an Offer to Purchase executed by Mayor R. Morrow, President of the Municipal Non-Profit (Hamilton) Housing Corporation on 1988 November 30 and scheduled for closing on or before 1989 February 08 for the purchase of lands on the south side of Limeridge Road East, east of Upper Ottawa Street, be approved and completed.

**Note:** The subject property has a frontage along the southerly limit of Limeridge Road East of 215 metres (705.38 feet) by a depth of 135.148 metres/84.181 metres (443.39 feet/276.18 feet) containing 2 864.9 square metres (30 838.5 square feet) shown as Parts 2 and 3 on attached copy of Plan 62R-9176 Surveys. Part 3 is subject to an easement in favour of the Region for landscaping purposes. Schedule "A" attached hereto as APPENDIX "A" also forms part of this Agreement. The purchase price of \$660 000 is to be credited to Account No. 0280-02.

5. That the Chief Administrative Officer and the Treasurer be authorized to approve current budget transfers and overdrafts for the balance of December following the 1988 December 13 Council meeting, provided that a list of all such transactions is compiled for approval of the appropriate Standing Committee and/or City Council in early 1989.
6. That an overdraft amount of \$25 000 be approved for Account No. 0369-0734 in the budget of the Department of Culture and Recreation for 1988 to correct problems with inadequate electrical service at the Hamilton Museum of Steam and Technology, to be financed by savings accumulated in the other accounts of the budget of the Department of Culture and Recreation.



7. That the City of Hamilton participate in the Regional Program for Senior Citizens as outlined in the Bus Pass Sub-Committee report (TRA 88-090 Transit Fares for Seniors - A Framework for the Future) adopted as Section 6 of Report 10-88 of the Transportation Services Committee by Regional Council at their meeting 1988 September 20.

**Note:** For the information of the members of the City Council, the Finance Committee will report back to City Council in January 1989 on the method of financing the fare stabilization payment for the City of Hamilton.

8. That the Treasurer be authorized to allocate funds from the Reserve for Replacement of Mobile Equipment Account No. 0280-01, for the replacement of vehicles as summarized below:

<u>Section</u>	<u>Number of Vehicles</u>	<u>Estimated Amount</u>
City Garage Pool	36	\$ 441 600
Fire - Replacement	7	\$ 1 211 000
- Additional Funding for Vehicle No. 1657	1	\$ 60 000
Parking Authority	1	\$ 15 120
Public Works	94	\$ 3 406 287
<b>TOTAL</b>	<b>138</b>	<b>\$ 5 134 007</b>

9. That the Actuarial Report dated 1988 August 22 prepared by the City of Hamilton's Actuaries, The Wyatt Company, indicating a fully funded position of the Hamilton Municipal Retirement Fund (HMRF) as at 1987 December 31, attached hereto as APPENDIX "B", be accepted with the approval of the following recommendations:

- (a) That the City maintain the contribution rate of 5.75% of pensionable earnings until the next actuarial valuation of the Plan is conducted, and;
- (b) That actuarial valuations continue to be conducted annually so that fluctuations in contributions requirements can be minimized.

10. (a) That, upon termination or wind-up of the Hamilton Municipal Retirement Fund (HMRF), the Plan, to take place about the year 2050, any surplus shall revert to the Corporation of the City of Hamilton (Corporation) after satisfaction of all liabilities of the Plan, for disposition as the Corporation shall direct and applicable legislation may allow, and
- (b) That the Hamilton Municipal Retirement Fund By-law No. 79-70 be amended to include the above recommendation.

11. That outstanding realty and business taxes in the amount of \$102 027.42, be written-off in accordance with Section 495 of the Municipal Act, R.S.O., 1980 and charged to Account No. 0220, Tax Write-offs.

Note: Copies of the schedules outlining realty and business tax accounts which are, in the opinion of the Treasurer, uncollectible are available from the Secretary, Finance Committee or the Treasurer.

12. That the existing Grants policy and procedures (both General and Convention/Reception Grants) be amended to incorporate the following changes:
- (a) That a Grants Review Committee consisting of the Chief Administrative Officer, Treasurer and Director of Culture and Recreation be established;
- (b) That the mandate of this Grants Review Committee is to:
- (i) Review all grant requests to ensure completeness and compliance with policies;
  - (ii) Where necessary meet with grant applicants and/or request information to clarify the request;
  - (iii) Make recommendations to the Finance Committee on all grant requests;
  - (iv) Review and make recommendations to the Finance Committee on any changes to the Grants policy, procedures and applications;
- (c) That the Finance Committee is to consider the recommendations of the Grants Review Committee and finalize any appeals prior to forwarding these recommendations to City Council.
- (d) A two-thirds vote of the members of the Finance Committee present when the vote is taken is required to reverse a grant recommendation either at the initial approval or on appeal to the Finance Committee.

- (e) That the following policy relative to Grants for organizations representing the City at national or international events outside of the City of Hamilton adopted by City Council 1986 February 25, be deleted.

"That a policy be established whereby grant applications received from organizations requesting funds to defray costs associated with representing the City of Hamilton at national or international events, by invitation only, outside of the City, will be eligible to apply for grant funds."

13. (a) That approval be given to the following grant requests:

- (i) A Convention/Reception Grant in the amount of \$350 for the annual Silver Fox Basketball Tournament of 1989 January 13 to January 14;
- (ii) A Convention/Reception Grant in the amount of \$250 for the annual Kennedy Ontario Invitational Catholic Junior Boys Basketball Tournament 1989 February 04 - 05;
- (iii) A Convention/Reception Grant in the amount of \$2 000 for the Canadian MBA Conference 1989 January 13 to January 15;
- (iv) A Convention/Reception Grant in the amount of \$1 000 for the Duet Club of Hamilton for a reception as part of their 100th Anniversary Celebration 1989 February 08;
- (v) A Convention/Reception Grant in the amount of \$4 500 for the 1989 Karate Championships to be held at the Convention Centre 1989 February 25.

- (b) That the approved grants above be provided for in the 1989 Grants Budget.

14. That the City of Hamilton pay the amount of \$11 020 as an all-inclusive settlement of the claim of Geraldine Marguerite Fraser and Charles David Fraser for personal injuries as the result of a slip and fall, 1986 May 06.
15. That, in accordance with City Council policy, the Summary Report containing a list of approved Settlement of Claims attached hereto as APPENDIX "C", be received.

16. That the estimated cost of \$1 850 for the remainder of 1988 to provide School Crossing Guard service at the intersections of Main Street and Sherman Avenue and Charlton Avenue and Walnut Street be funded from within the existing School Crossing Guard budget, on a overdraft basis if necessary.

Note: This project was approved by the Transport and Environment Committee at its meeting held 1988 December 05.

Respectfully Submitted,

ALDERMAN W. M. McCULLOCH, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1988 December 06

mjw



SCHEDULE "A"

It is understood and agreed that:

The Purchaser acknowledges to the Vendor that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required.

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge, (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement if requested by the municipality;
- (i) to convey 5% of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes.

Dated at Hamilton this 5<sup>th</sup> day of December 1988

WITNESS:

Primer

Bill James

APPENDIX "A" as referred to  
in Section 4 of the  
First Report of the  
Finance Committee





## SECTION I

### THE HAMILTON MUNICIPAL RETIREMENT FUND

#### Discussion of the Valuation Results

#### Summary

A brief summary of the principal results of the current and previous valuations is set forth below. A more detailed presentation is set out in Section II of this report.

A. <u>Summary of Valuation Data as of December 31</u>	<u>1987</u>	<u>1986</u>
1. Number of Members		
(a) Active	153	169
(b) Pensioners	519	547
(c) Deferred Pensioners	<u>13</u>	<u>16</u>
(d) Total	685	709
2. Annual Payroll	\$ 6,900,900	\$ 6,961,086
 B. <u>Funded Status as of December 31</u>		
1. Valuation Assets	\$78,499,200	\$73,308,700
2. Accrued Liabilities	\$76,530,000	\$71,341,800
3. Surplus (Deficiency)	\$ 1,969,200	\$ 1,966,900

#### Funded Status

The results of the actuarial valuation are set forth in Section II of this report. Section II reveals the funding position of the Fire and Others groups as at December 31, 1987 as determined using the actuarial assumptions and valuation methods detailed in Section V. Summaries are shown below.

	<u>Fire</u>	<u>Others</u>	<u>Total</u>
Valuation Assets	\$57,236,800	\$21,262,400	\$78,499,200
Accrued Liabilities	<u>55,762,500</u>	<u>20,767,500</u>	<u>76,530,000</u>
Surplus (Deficiency)	\$ 1,474,300	\$ 494,900	\$ 1,969,200

The following factors have contributed to the development of the \$1,969,200 total surplus position as at December 31, 1987.

	<u>Totals</u>
Surplus (Deficit) - December 31, 1986	\$ 1,966,900
Valuation Asset Growth Greater Than Assumed	4,000,000
Salary Growth Greater Than Assumed	(1,500,000)
Pensioner Benefit Updates	(1,540,000)
Other *	(957,700)
Surplus (Deficit) - December 31, 1987	\$ 1,969,200

\* Includes (i) deaths, disabilities, terminations of employment, and retirement ages different than anticipated by the actuarial assumptions and (ii) data corrections.

#### Changes in Covered Population

Prior to January 1, 1985 plan membership included employees of the Regional Municipality of Hamilton-Wentworth. Effective January 1, 1985 the plan assets and administration were split between the City and the Region with Regional assets and liabilities transferred to the Hamilton Wentworth Retirement Fund.

Effective January 1, 1985 all active City Other participants, excluding Department Head and Deputies, were transferred to OMERS. Effective January 1, 1986, seven Department Heads and Deputies were transferred out of HMRF to OMERS.

#### OMERS Transfer

As of the date of this valuation the actual amount of assets required to be transferred to OMERS in respect of former City Others HMRF members, including Department Heads and Deputies, has not been finalized. As a result, an estimate of the amount of such required monies has been used in this valuation to establish HMRF asset values. The surplus in the Plan as at December 31, 1987 will be directly affected by the amount of difference between the actual and estimated OMERS transfer value.

#### Plan Amendments

Effective July 1, 1987 the yearly amounts of pension being paid to pensioners were increased by 4.2%. This increase was based upon the formula adopted for OMERS pensioner increases effective July 1, 1987.

### Actuarial Assumptions and Valuation Methods

The actuarial assumptions and valuation methods adopted for the current valuation are listed in Section V. The actuarial assumptions adopted and valuation methods employed are identical to those used in determining the City's funded status as at December 31, 1986.

### Recommendations

Our recommendations are as follows:

- (1) The City has established contribution requirements in respect of members as 5.75% of pensionable earnings. We recommend that the City maintain this contribution rate until the next actuarial valuation of the Plan is conducted.
- (2) We recommend that actuarial valuations continue to be conducted annually so that fluctuations in contributions requirements can be minimized.)

For purposes of this valuation we are of the opinion that the data used in this valuation is consistent with that employed in the previous actuarial valuation of the Plan as at December 31, 1986, the actuarial assumptions employed are both adequate and appropriate and the actuarial method used is consistent with sound actuarial principles.

The preparation of this report and the opinions contained within are in accordance with generally accepted actuarial principles.





FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Earl Deamude	City of Hamilton	Motor Vehicle Accident 1985 August 29	\$ 500.
Helen Tyrrell	City of Hamilton	Trip and Fall 1987 January 20	\$1 000.

Appendix "C" as referred  
to in Section 15 of the  
First Report of the  
Finance Committee





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25070	YELLOW/JAUNE	BY2507
25071	BLACK/NOIR	BG2507
25072	BLUE/BLEU	BU2507
25073	R. BLUE/BLEU R.	BB2507
25074	GREY/GRIS	BD2507
25075	GREEN/VERT	BP2507
25077	TANGERINE	BA2507
25078	RED/ROUGE	BF2507
25079	X. RED/ROUGE X.	BX2507

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